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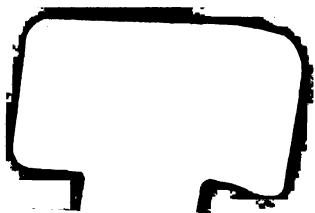
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HISTORY
OF
SCOTLAND,
FROM
THE EARLIEST TIMES,
TO THE
ÆRA OF THE ABOLITION
OF THE
HEREDITARY JURISDICTIONS
OF
SUBJECTS,
IN THE YEAR 1748.

BY ROBERT HERON.

VOLUME III.

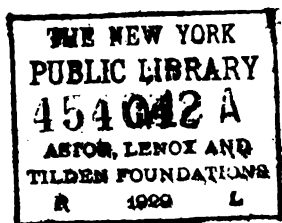
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IN this Third Volume, the History of the National Transactions of the Scots, civil and military, is continued for the space of more than two hundred years,—from the accession of David Bruce, to the death of James the Third; the History of the Labours, Knowledge, and Enjoyments of the Scots in private life, for more than one hundred years,—from the accession of David Bruce, to the æra of the return of James the First out of his captivity in England.

DURING the lapse of this period, the relations of the Scots to Foreign Nations, became continually more complex and more extensive: Many persons of illustrious character arose in Scotland: The general course of events was exceedingly various, often wonderful, and peculiarly interesting: New arts arose; Civil policy was mightily improved: Even taste and science began to dawn. The moralist cannot give better instruction; hardly can the epic poet produce a better assemblage of *speciosa miracula*; than the History of Scotland, during the fourteenth and the fifteenth century, is happily fitted to exhibit.

I HAVE done what I could to make this History instructive and entertaining. They who best understand, how far moral and political science may be properly introduced into history; how far a style varying in its structure and colours with the varying subjects which arise, is fitted for historical

historical narration ; and by what laws of evidence the historian ought to try the truth of his facts ; will be best able to judge whether I have thus far executed well or ill the task which I have undertaken.

If, to discuss authorities with due accuracy, be,—not merely to pore with apparent attention, over musty manuscripts, or printed books which, on account of their dullness, have become rare ; and to refer with seeming punctiliousness to page and line ;—but to study diligently the sense of each successive passage in those records which afford the foundation of our narrative ; to compare the different contemporary writings, sentence by sentence, and thought by thought, with one another ; to estimate the credibility of the various original authors, by a careful consideration of consistency of narrative,—opportunities of information,—freedom from the causes of prejudice, or subjection to them,—discernment, or the want of it,—sobriety of judgment and faithful integrity of character, or a flightiness of imagination prone to embellish with fiction, and a looseness of morality, not reverencing the distinctions between truth and falsehood :—In this case, perhaps, those who are best acquainted with the subject, will find reason, not to disapprove of that diligence of investigation which has been exercised in the composition of this and the preceding volumes. If it be deemed farther necessary, in the composition of a historical work, from the evidence of ancient chronicles, epistles, laws, and charters,—to judge of the value of your evidence—by looking into the first principles of human character,—by considering whether the acknowledged talents, accomplishments, passions, and habits of this or that man, give probability to what is related of him,
—by

—by examining whether the state of the general spirit, intelligence, and manners of a nation, were consistent with the accounts which we receive of this or that public transaction,—by applying the philosophy of the Law of Nature and Nations to the illustration of historical truth ;—*In this light*, it will possibly be found, also, that it has been laboured with much solicitude and care, to give satisfaction to the judicious, in the present Work.

It is well known to those who read, not only modern historical works, but the ancient sources, from which the information of those modern works is drawn ; that the late learned and truly respectable *Sir David Dalrymple* ; that the perspicuous and ingenious *Hume* ; that even the philosophical, the eloquent, the interesting *ROBERTSON*, who has conferred upon History, all that Unity of Design, and that happy combination of characters, passions, imagery, actions, incidents, which give dignity and interesting power to the *Epos* ; that, even these great Historians have, *except in a few instances*, drawn, not only their facts, but *the reflections and general views*, whether in ethics, politics, or the science of legislation, which accompany those facts, *from the ancient writers whom they quote*.

In this, however, I must acknowledge with concern, that I have found it impossible to imitate such illustrious examples. My facts are brought, with strict fidelity, from the authors whom I quote. But, my views of national and personal interests, of the progress of policy and manners, will be found to be invariably the abstractions of my own mind,—from a careful examination of the particular facts, which are only generalized in those views.

I HAVE

I HAVE again to acknowledge with gratitude, the obliging civilities of the Booksellers, and the Keepers of the Public Libraries. They have readily favoured me with every communication of books, &c. which I found it necessary to request. *Mr Professor DALZELL*, in particular, Librarian to the College of Edinburgh, has aided my researches with that ready kindness which was indeed naturally to be expected from a man so eminently distinguished by erudition, genius, and amiable benevolence of character;—for good men are ever disposed to favour those arts in which they themselves excel.

IN the shop-collection of *Mr Archibald Constable*, I have found a treasure of curious and rare books, belonging to all periods of the Scottish History. Mr Constable has obliged me with the free use of his collection, with a ready liberality which must, at times, I fear, have proved inconvenient to his purposes of sale. I have even been indebted to his skill in *Bibliography*, for references to various valuable authorities which would, otherwise, have remained entirely unknown to me.

THE *Fourth* and *Fifth* Volumes, which complete the Work, are in the press, and will, assuredly, be ready for publication in the month of May.

WITH the Fifth Volume will be published a *Catalogue Raisonné* of all the printed books and MSS. which I have used in the composition of this Work,—with particular statements of how much, and what—I have derived from each.

EDINBURGH, }
March 17. 1797. }

R. HERON.

CON-

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HISTORY OF SCOTLAND.

B O O K IV.

SECTION I.—CHAP. I.

D A V I D B R U C E.

From the Accession of DAVID BRUCE, to the Coronation of EDWARD BALLIOL.

ROBERT Bruce was succeeded by his son DAVID ; who, though already betrothed in marriage to the princess JANE of England, had not yet completed the seventh year of his age. A king of these years, might serve to represent royalty in the barely formal acts of government, and to prevent some of the evils of a long vacant throne, and a disputed succession, but was unfit to exercise the energies of sovereign authority. RANDOLPH, earl of Moray, therefore, took upon him the office of REGENT of the kingdom, under the sanction of that *Act of Settlement*, by which Robert Bruce and his Parliament had formerly endeavoured to provide equally against a failure of the royal line, and

A. D. 1329.
Accession of David Bruce.

VOL. III. A against

SECT. I.
CHAP. I.



A. D.

1329.

Political
state of the
kingdom.

against the dangers of a minority in the next possessor of the Crown*.

THE internal state of the kingdom, and the mischiefs which still distantly threatened it, from abroad, were such as to demand the full exertion of all the vigorous activity and steady wisdom of a ruler able as RANDOLPH. After that anarchy, and those long wars which had been but lately terminated; civil order was, as yet, scarce perfectly re-established; the laws had not yet recovered due authority, the people still retained the turbulent and ferocious habits of military life. The son of BALLIOL survived, and was ready to renew his claims to the Scottish Crown: There was a numerous party of exiles, whose attachment to the Balliols, or to the English, and aversion from the cause of Bruce, had deprived them of their possessions in Scotland, and driven them from their country; and who were, therefore, on the watch for an opportunity to obtain the redress of their own wrongs by overturning the present government of the land from which they had been expelled: On the English throne, now sat a monarch who was not less ambitious, politick, or martial than Edward the First; and who, considering Scotland, as by right,

* Fordun. L. XIII. C. 18:—Joan. Major. L. V. C. 10, 11.—H. Boeth. L. XV. Sub initio:—Buchan. L. IX:—Lesh. L. VII.

right, a fief of the English Crown, was secretly disposed to employ every effort of force or artifice, in order to regain a possession which his father's weakness and folly had lost. Such difficulties and dangers concurred to threaten long calamities to the reign of David Bruce, and to oppress the regency of Randolph with perplexity and trouble*.

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A. D.
1330.

YET, Randolph shewed his virtue and abilities to be not unequal to the necessities of the time, and of the situation in which he was placed. By his care, due respect for the majesty of the laws, and for the king's peace, was vigorously enforced in all quarters of the Scottish dominions. Provision was made, that the horse of the traveller, the plough of the husbandman, or whatever other article of property, might be necessarily exposed in the open fields; should not be stolen, without just punishment being afterwards inflicted on the thief, and due compensation being made to the person who was pillaged. In a grand justiciary progress through the kingdom, the Regent happily seized, near Wigton in Galloway, a company of banditti, and forthwith executed summary justice upon them. Another notable instance of stern and wholesome justice, was exhibited by Randolph, at Inverness, in

Regency of
Randolph.

Internal
adminis-
tration.

* Fordun. XIII. 18:—H. Boeth. L. XV. Fo. 322:—
Buchanan. L. IX. Sub initio:—J. Major. L. V. C. 10:—
Lesci. Pag. 238, &c.

SECT. I.
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A. D.
1330-1.

in the execution of a man who, although guilty of the murder of a priest, believed himself secure from punishment, because he had obtained a Papal absolution from the crime. In whatever district, turbulent licentiousness, or crimes against the peace of the community, demanded the chastisement of public justice; there, the Regent, with unwearied activity and vigilance, still shewed himself alike ready to maintain civil order, to protect the weak and innocent, and to punish insubordination, rapacity, and oppression. His cares were so far successful, as to repress effectually whatever disorders had been excited by rising contempt for the infant reign: His justice was universally revered: His activity and wisdom were esteemed and admired*.

An invasion threatened.

BUT, in the mean time, a storm began to arise from abroad. The exiles, abetted in their purpose by the king of England, excited by the correspondence of Edward Balliol, and guided by the counsels of Henry de Beaumont, a sufferer in the same cause with themselves; mustered a force, collected money, provisions, and military stores, and prepared to invade Scotland. Balliol, conceiving somewhat of that generous ardour which might become the

* Fordun. L. XIII. C. 18, 19:—Major. L. V. C. 10:—Boeth. L. XV. Fo. 322, &c.

the pretender to a Crown, issued from his retire-^{SECT. I.}
 ment at his estates in France, and assumed the com-^{PAR. I.}
 mand of the expedition. Four hundred warriors
 clad in complete armour, and mounted on horse-^{A. D.}
 back, with three thousand foot soldiers, more im-^{1331-2.}
 perfectly equipped, and variously armed, appear to
 have composed the whole force of the invaders.
 They would have entered the threatened kingdom,
 by land, from England: But the English monarch,
 altho' he had not hindered them from concerting
 their measures, and preparing their armament with-
 in his dominions; would not, yet, so openly in-
 fringe the treaty of Northampton, as to permit
 them to march directly across his confines, into
 the bordering territories of his infant brother-in-
 law. Forbidden to proceed by land, they were
 not, however, driven to relinquish their enterprize;
 but embarked at Ravensburgh, in Holderness, at
 the mouth of the river Humber, and thence, set
 sail for Scotland*.

RANDOLPH and the Scots were not unapprized^{Last acts}
 of the combination and the hostile designs of these^{and death}
 adventurers. To repel any invasion of the king-^{of Ran-}
 dom, which should advance from the English^{dolph.}
 marches, the Scottish Regent quickly assembled
 the

* Fordun. L. XIII. C. 19, 20, 21, 22 :—Major. V. 12 :—
 Boeth. XV. Fo. 323 :—Buchanan. L. IX :—Lessœi. Hist.
 239 :—Leland : Walsingham, Fœdera, IV. 511, &c.

SECT. I.
CHAP. I.

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1332.

ed, the fatal intrepidity of the Scottish hero, carried him too far in the pursuit, to a distance from the main body of the Christian army. The fugitive Moors, rallying where they saw themselves followed only by Douglas with some few attendants; surrounded the pursuers; and assailed them with rekindling courage, which their scanty number and exhausted vigour could ill withstand. Douglas, in this last extremity, took from his bosom, the casket containing his master's heart, which he carried constantly about his person; and crying, *Pass thou onward, as thou wast wont; and Douglas will follow thee, or die!* threw the casket among the thickest of the foes; and himself rushing after, with a desperate effort, was quickly overpowered, and buried amid a multitude of enemies falling by his hand. The news of the fate of Douglas, being received in Scotland, amid the general lamentation for the death of Randolph, and the universal consternation with which the threatened invasion was expected; so enhanced the sense of the national ills; that it seemed as if the whole kingdom had been, at once deprived of all ability of mind, to give counsel, and of all strength of arm to execute whatever measures of defence might be requisite in the strong exigency of the present circumstances*.

MEAN-

* Fordun. L. XIII. C. 20, 21 :—Major. L. V. C. 11 :—Buchanan. L. IX :—Barbour, Pinkerton's edition : Mariana XV. 21, &c.

MEANWHILE, Balliol with the exiles his confederates, and all the force which they had mustered, failed, in one squadron, into the frith of Forth. Their landing was, in vain opposed by the earl of Fife, with a few followers, hastily assembled. One part of the invaders came on shore at Kinghorn; easily routed those by which they were encountered; and after the delay of only a single night, marched onward to Dunfermling. While their ships, coasting along the eastern shores of Fife, entered the frith of Tay; the army on land, proceeded rapidly northward, till they reached Forteviot, on the southern bank of the river Erne, at the distance of between three and four miles from the town of Perth, and within sight of the station of the fleet*.

SECT. I.
CHAP. I.

A. D.
1332.

Balliol
lands in
Fife.

AT Perth, the Scottish Nobles had, in the meantime, assembled in a convention, to elect a new Regent. Donald, earl of Marre, nephew to Robert Bruce, was, after some jarring debates, nominated to succeed Randolph in that high office. He instantly mustered a numerous and powerful force, and from Perth advanced to Dupplin, on the northern bank of the Erne; where he encamped his army in a position opposite to that of the invading host, and so nigh, that the invaders could not cross the river, without risking a battle. Nor were the

A new Regent chosen; and measures of defence employed.

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B

inhabitants

* Fordun. XIII. 22, &c.

SECT. I.
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1332.

inhabitants of the southern counties less alert. A second army, hardly less numerous than that which was encamped at Dupplin, was, at the same time, conducted by the Earl of March, from Lothian, northward, by Stirling, as far as Auchterarder, within eight miles of Forteviot, and Balliol's camp. In comparison with the numbers of these two armies which thus hastened to oppose them, the invaders were but an handful; the junction of the forces of March with those of Marre, would greatly augment the relative disparity of the two hosts which were immediately opposed to each other: Nor could Balliol and his followers even retire to their ships, without exposing themselves to all the evils of entire defeat. In these circumstances; if the resolution and unanimity of the Scots, had been equal to their apparent strength and activity; no events could be more probable, than the frustration of the invasion, and the destruction of the invaders*.

August 11.
and 12.

BUT, the Scots were as sheep without a keeper; the invaders were desperately bold, as a lion caught in toils. The Regent's army were, at once distrustful of the abilities of their leader, and insolently scornful of the enemies whom they had to encounter; secure even to the neglect of all discipline, and amid their boldness, not all cordially faithful to the interests of their country. Balliol and

* Fordun. XIII. 22:—Hemingford II. 273, &c.

and his followers were fully sensible of all the difficulties of their situation, and were unanimous in their resolutions to do whatever, vigilance, valour, and stratagem could accomplish, in order to deliver themselves from danger, and to pursue their enterprize to a successful issue. When the two hostile armies were respectively in these situations and dispositions, the invaders suddenly crossed the river by night; and while the Scots were dissolved in sleep, and intemperate riot, made an unexpected attack upon their unfortified and disorderly camp. At the first alarm of the assault, the young earl of Moray, son to the late Regent, with three hundred men in *full* armour, hastened to meet the shock of the assailants. His gallantry being bravely seconded by his companions, for some moments withstood the onset of the enemy. But, the alarm was, in the mean time, communicated throughout the Scottish camp; Marre and his whole disorderly and ill-appointed host, were roused to arms; they rushed onward in a confused crowd, and in an uncertainty concerning the circumstances of the attack, which made them incapable of action, and exposed them, an easy prey to the fury of the enemy. Even the efforts of young Randolph and those who fought by his side, were so impeded by the movements of this disorderly host, which should have sustained and aided them; that they could no longer make any effectual opposition to the strenuous

SECT. I.
CHAP. I.

A. D.
1332.

Battle of
Dupplin.

SECT. I.
CHAP. I.

A. D.
1232.

nuous impulse of Balliol's troops. Randolph, and with him, the earls of Menteith and Carrick, and some other nobles perished in the fight. The multitude of the Scots were trodden down in heaps, and slaughtered by the enemy without opposition. The havock and pursuit of the vanquished and fleeing host, were prolonged to mid-day. Balliol's victorious army then proceeded to Perth, and took possession of that strong town, the central capital of the kingdom, and a station sufficiently accessible to their fleet, which now rode at anchor in the frith of Tay. Marre, the Scottish Regent, was in the number of those who had fallen in the battle*.

Dispersion
of the earl
of March's
army.

THE Earl of March was now advancing with his army, from Auchterarder to Dupplin. A wounded soldier who had escaped out of the battle, met him by the way; but ere he could distinctly communicate the tidings of the miserable overthrow of the Regent's forces, fell down, and expired. March hastening anxiously onward, soon came within sight of Dupplin-moor, and there beheld only the slaughtered remains of the army which he had come to support. Disappointment, rage, sorrow, consternation were at the sight excited, with mingled force and emotion, in the hearts of the Scots.

* Fordun. L. XIII. C. 22 :—Major. L. V. C. 11 :—
Buchanan. L. IX :—Lect. 239, &c.

Scots. They would avenge the fate of their slain countrymen; they could not but dread the prowess of the victors, who, although but an handful, had prevailed in fight, against so many; they began to feel a sudden distrust, every one of the courage and fidelity of his neighbour; they were ready to despair of a cause which they saw to be so fatally unfortunate; yet, shame withheld them from abandoning the interests of the son of Robert Bruce, without making at least one trial of their strength, against the enemy. In these wavering and discordant sentiments, they hesitatingly pursued the footsteps of the victors toward Perth. But, when they had reached the north-east slope of that hilly ridge which immediately shelters the vale of Perth, on its southern side; they saw Balliol's forces impatiently awaiting their approach, in all the confidence of victory. This fight was enough to move their already irresolute minds from their first purpose. They halted; receded; and within a short time, without orders, and without consultation, dispersed themselves in universal flight. Yet, before this final dispersion took place, a faint attempt was, for some few days, made, to reduce by a blockade of the town, those whom March and his troops durst not assail with one vigorous impulse. Crabbe, the Fleming, who had formerly distinguished himself in the defence of Berwick, came, in the mean time with ten ships, into the frith of Tay, and engaged

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Corona-
tion of
Edward
Balliol.

gaged the English fleet, but was defeated, with the loss of all his vessels. It was in consequence of these continued disasters, that the general flight of the Scots, left Edward Balliol, for a time, undisturbed master of Perth, and all the adjacent territory of Gowry, Fife, and Strathern. Pursuing the advantage which his good fortune had bestowed; Balliol convoked the principal inhabitants of these districts; and on the twenty fourth day of September, in the year one thousand three hundred and thirty-two; was, in their presence, solemnly crowned King of Scotland, at Scone*.

CHAPTER II.

From the Coronation of EDWARD BALLIOL, to the period at which he resigned his pretensions to the sovereignty of SCOTLAND, in favour of the ENGLISH King.

By these successes of Edward Balliol, and the ex-
Observations on the renewal of the war for the succession. ible adventurers who had espoused his cause; the ancient contest for the succession to the Scottish Crown; and the hopes of the English, to subjugate

* Fordun. L. XIII. C. 22 :—Major. L. V. C. 11 :—
Boeth. L. XV. Fo. 325 6 :—Hemingford II. 273, &c.

gate Scotland by interfering in the quarrel; were
 once more renewed. The effect of the toils and
 darings of Wallace, of the adventurous enterprizes
 of Bruce, of the persevering courage and fidelity
 of Douglas and Randolph, the establishment for
 the sake of which so many thousands had bled,
 seemed now to be again overthrown. Resigning
 his authority into the hands of the King of Eng-
 land, and deserting the cause of the Scottish nation,
 while they fought to vindicate their freedom; the
 father of Edward Balliol, had, by those acts, no
 doubt, absolutely forfeited all his rights to the
 Scottish Crown. His rights had justly devolv-
 ed upon Robert Bruce, as the next in the or-
 der of succession, and as a patriot and a hero
 whom his own exertions, and the general voice of
 his countrymen, had alike conspired to exalt to
 the regal dignity. But, their own private inte-
 rests, perhaps their personal wrongs, those preju-
 dices which interest and resentment easily gener-
 ate; had naturally concurred to make those who
 were exiles on account of their enmity to Bruce,
 still esteem Balliol's the better cause. Now, when
 flushed with success, they could not fail to regard
 both Balliol's claims and their own, as equally and
 irrefragably just. Their farther success might easi-
 ly turn the wishes of the whole nation from the fa-
 mily of Bruce to that of Balliol. How should the
 rights of an unprotected boy, prevail against the
 pretensions

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pretensions of a man qualified to command armies, and to preside in councils, who was followed by a number of gallant and faithful warriors, and whose enterprizes were favoured with unlooked-for good fortune?

Recovery
of Perth.

YET, while Balliol, immediately after his coronation at Scone, returned southward, to open a communication with the English marches; a party of the loyal adherents to the interests of David Bruce, concerted a sudden enterprize against the slender garrison left by the usurper in the town of Perth. Its temporary fortifications were unfit to resist a siege: It was garrisoned by few else, beside the earl of Fife, who from the prisoner had become the partizan of Balliol, with his family and his vassals. By stratagem, however, probably, rather than by a regular assault, it was quickly taken by the besiegers; of whom the leaders were James and Simon Frazer, and Robert Keith. Murray of Tulibarden, who was accused of having betrayed to Balliol, the safety of the royal army at Dupplin, by discovering the ford, at which the invaders crossed the Erne, to surprize the Scottish camp; being found with Balliol's garrison in Perth; was furiously put to death by the conquerors, as a traitor to his country*.

IN

* Fordun. L. XIII. C. 25 :—Knyghton 2562 :—Major. L. V. C. 11 :—Boeth. L. XV. Fo. 326.

IN England, and upon the confines between the two kingdoms, there were now passing, transactions of much weightier import to the interests of Scotland. The English King, from the first, no doubt, aware of the counsels and designs of Balliol and his followers; was no sooner informed of their growing successes; than he hastily came northward to the vicinity of the Scottish frontiers; as if of purpose to take advantage of the troubles which were arising in this neighbouring kingdom. Balliol and his adherents, repairing, at the same time, southward to Roxburgh, entered eagerly into a new negotiation with the King of England; to which they were impelled, equally by the hope of gaining his aid, and by the fear of his espousing, in opposition to them, the cause of his brother-in-law, young David Bruce. No circumstances could have been more favourable than these, to the ambitious policy of England, Edward Balliol, readily consenting to imitate the example of his father; did homage to the English King, as lord-paramount of Scotland; resigned to him, by a solemn, written deed, the direct possession of the town, castle, and territory of Berwick; and engaged, for himself and his successors, that, if established on the Scottish throne, they should, whenever summoned, attend the kings of England in all their foreign wars, at their own charges, and upon each different occasion, for the full space of one year;—Ed-

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Balliol obtains the alliance of England.

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ward

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ward Balliol himself, with two hundred men in complete armour,—every one of his successors, with one hundred. In return for this homage and these engagements, the English monarch; regardless of the treaty of Northampton, and of his own affinity to young Bruce; agreed to maintain Edward Balliol and his heirs, in the feudal and dependent sovereignty of the Scottish kingdom. This favour and support of the English King, added to their former successes, greatly increased the reputation of Balliol's party throughout Scotland. Although so soon deprived of Perth, they were now, however, masters of almost all the southern and south-east parts of the country. Every day brought in new vassals to do homage to Balliol, and new soldiers to fight under his banners*.

New efforts of the friends of Bruce.

AMIDST these events, the loyal adherents to the family of Bruce, began to recover, more generally, out of their first panic. By the success of the Frasers and Keith at Perth, their friends and fellow-subjects were encouraged to rally, to combine their efforts, to make head once more against the party of Balliol, however supported by the aid of England, and the traitorous or cowardly defection of the Scots who ought to have adhered, with unshaken fidelity,

* *Fœdera* IV. 536. 539:—*Fordun*. XIII. 25:—*Buchan.* L. IX.

fidelity, to the son of Robert Bruce. The north-^{SECT. L.}
 ern and north-west parts of the Scottish dominions,^{CHAP. II.}
 as far as these were submissive to the controul of ^{A. D.}
 regular government; with the eastern and western ^{1332.}
 counties; were as yet, almost every where loyal to
 their infant King. Sir Andrew Murray of Both-
 well, husband to the sister of Robert Bruce, accep-
 ted the office of Regent, which had been left vacant
 by the fall of the Earl of Marre, at Dupplin. On
 the eastern and southern marches, the Earl of
 March, and Archibald Douglas; whose possessions
 were either actually within the power of the ene-
 my, or at least exposed to their inroads; seem to
 have wavered between adherence to Bruce, and
 desertion to Balliol; and solicited a short truce
 from the latter, in hopes of negotiating, as they
 said, an accommodation of differences between
 their king and the usurper. But, to this truce,
 the Brucian party in general, who owned Murray
 for Regent, refused to accede. Even Douglas soon
 returned to instant and hearty activity in the cause
 of his King. Associating with John the young
 Earl of Moray who had succeeded his brother, and
 with Simon Frazer, one of the conquerors of Perth;
 Douglas, with these chieftains, assembled a body of
 horsemen at Moffat in Annandale; and in a sud-
 den and secret enterprize, came unexpectedly up-
 on Balliol, while he lay in thoughtless security at
 the town of Annan; overpowered the resistance of
 his

Their suc-
 cess at
 Annan.

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his attendants ; slew his brother Henry, and not a few other persons of distinction ; and had almost made prisoner, Edward Balliol himself ; who, with difficulty, escaped, naked and unattended ; into England*.

Balliol
supported
by the
English.

NOTWITHSTANDING these efforts of the loyal Scots, and the success with which this last, bold enterprize was crowned ; the King of England would not so soon renounce his engagements with Balliol, nor relinquish the hopes upon which those engagements were founded. Had Edward Balliol, indeed, been slain or taken captive at Annan ; such an event might have at once composed the troubles which the prosecution of his pretensions, had begun to excite. But, one of his first acts, after his escape into Cumberland, was, to appoint commissioners, who should, in his name, solemnly ratify by oath, the treaty which he had already made with the English monarch. Edward of England, almost immediately upon this, throwing off all disguise ; accused the Scots of having violated the treaty of Northampton, by acts of hostility upon the English borders ; encouraged his barons to take arms with Balliol ; and mustered a force, to invade Scotland, or to repulse invasion. It may be,

* Fordun. L. XIII. C. 25 :—J. Major. L. V. C. 11 :—Boeth. L. XV. Fo. 326.

be, that Edward would rather have accepted the same conditions of homage and vassal-services from his young brother-in-law, David Bruce, than from Balliol, who was not allied to his family : But, the adherents to Balliol, were, men attached likewise to the interests of England ; they who supported the family of Bruce, were the ardent votaries of their country's freedom ; the former had forfeited their ancient inheritances in Scotland, by taking part with the English ; the latter had acquired their present possessions, by the heroism with which they and their fathers withstood and overthrew English usurpation : And, in these circumstances, the interests of his policy and ambition, left Edward no room for choice between the rights of Bruce, and the pretensions of Balliol. Balliol thus openly encouraged and supported, quickly returned out of his short exile, with a powerful force of English warriors ; and having taken and burnt the castle of Oxnam in Teviotdale ; fixed his headquarters, for a time, in the vicinity of Roxburgh*.

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BUT, the defenders of Bruce, and of the liberties of Scotland, were not now idle. Archibald Douglas, one of the leaders in the fortunate enterprise against Annan, was sent with a force of three thousand

Inroad into
Cumberland.

* Fœdera IV. 552 :—Hemingford II. 274 :—Knyghton 2562 :—Walsingham 132.

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thousand men, to invade the western border of England. He accomplished his enterprize with full success, ravaged the district of Gillesland, and returned safely home with abundant spoils and many prisoners. The invaders were quickly pursued by a retaliating incursion from England. Near Lochmaben, the English, led on by Sir Anthony Lucy, were bravely, but in vain opposed by the assembled Scots of the adjacent districts. The English prevailed. Of the Scots, Humphry de Bois, Humphry Jardine, and William Carlyle were slain, with many others; and Sir William Douglas, afterwards the celebrated *knight of Liddesdale*, with William Baird, and an hundred more, were made prisoners*.

Sir Andrew Murray in an attack on Balliol, at Roxburgh; is made prisoner.

THESE were but ravaging incursions, intended, on both sides, rather to harass, and alarm, than to answer the ends of any regular, consecutive plan of military policy. But, Sir Andrew Murray, the Regent, attempted the more important enterprize of assailing the encampment of Balliol at Roxburgh, and cutting off his slender army before they should be strengthened by reinforcements from England. At the bridge of Roxburgh, an impetuous onset was made by the Scots, and was vigorously

* Walsingham 132:—Fordun. XIII. 27:—Boeth. L. XV. Fo. 326.

rously resisted by the troops of Balliol. While the conflict was earnestly pressed, on both sides, a brave esquire, Ralph Golding by name, stepping forward from among the Scots, fought with astonishing intrepidity, amid the thickest of the enemy, till he was thrown to the ground. From the ranks out of which he had advanced, the Regent himself, more generously gallant than became his office, was the first to fly to the relief of the bold Golding. By the hope of making so considerable a person their prisoner, the soldiers of Balliol, were called forth in a larger number, and moved to fight with redoubled ardour. None, or few of the Regent's own soldiers rushed forward, to support or rescue him. He fought with incredible activity and vigour; but was at last compelled to surrender himself a prisoner; although, even then, it was not Balliol, but the King of England, whose captive he would acknowledge himself to be*.

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EDWARD the Third of England, had, in the mean time, summoned his military vassals to attend him in arms, at Newcastle upon Tyne; and was with great activity, making every necessary preparation for the invasion of Scotland, in fulfilment of the treaty he had made with Balliol. In vain had the French

The king of England, in conjunction with Balliol, besieges Berwick.

* Fordun. XIII. 27 :—Buchanan. L. IX :—J. Major. L. V. C. 12, &c.

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French King endeavoured, by his friendly interposition, to divert Edward from his hostile intentions against David Bruce and his subjects. Of the benefits of their naval intercourse with Flanders, Edward earnestly strove to deprive them, by requesting the Earl of that country, to prohibit his subjects from lending aid by sea to those whom he named the rebellious Scots. Having taken every requisite, previous measure, and having mustered his forces at Newcastle; he proceeded on his march; and in the end of May, in the year one thousand three hundred and thirty-three, arrived at Tweedmouth, on the southern bank of the Tweed, and opposite to Berwick. Balliol, with his small army had already laid siege to this important town, the frontier strength of Scotland, at its south-east extremity.

NOR were the Scots careless of the fate of this strong place; or slow to meet the coming storm. The governor of the town of Berwick, was the brave Alexander Seton; and while this command remained with Seton, the Earl of March was appointed to the government of the castle. By sea, and on land, the siege was vigorously urged by the fleet and army of the English. A gallant resistance was made by the besieged; many of the English ships were burnt or sunk; many of their soldiers fell; every assault they attempted, was still with

heroic intrepidity repulsed. Yet, at last, the force and perseverance of the besiegers, began to overcome the resistance of those by whom they were opposed : William, the son of Alexander Seton, a youth worthy of his father, perished in an attack upon the English fleet : Each succeeding day thinned the numbers, and diminished the resources of the townsmen and the garrison : And Seton was at last obliged to solicit and accept a truce, on the hard conditions of agreeing to surrender the town to the besiegers, unless it should before a certain day, be relieved by supplies from Scotland ; and of giving hostages, among whom was his own only surviving son, to the English, as securities for his faithful performance of the stipulated surrender, if the supplies he expected, should fail to arrive*.

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ARCHIBALD Douglas, now Regent of Scotland for David Bruce, in consequence of the captivity of Andrew Murray, had, in the mean time, assembled a numerous army, and was impatiently advancing to give battle to the English, and raise the siege of Berwick. On the eleventh day of July, the besieged garrison, with infinite joy, beheld the army of Douglas arrive within sight of the town, and were flattered with hopes of sure relief, be-

The Scots march to raise the siege of Berwick : and invade Northumberland.

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* Fœdera IV. 564. 566 :—Fordun. XIII. 27 :—Extract from *Scala Chronica*, published by Sir Dav. Dalrymple, *Annals* Vol. II. App. 5, &c.

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fore the expiration of the truce. Douglas with his forces, crossed the Tweed ; threw some small supplies of necessaries, and some few auxiliary warriors into the town ; and after vainly striving to draw the English out to battle upon equal ground ; or to introduce by some avenue, more effectual supplies to the relief of the besieged ; passed onward with his army, to depopulate Northumberland ; and even assaulted Bamburgh-castle, in which Philippa, the young queen of England, had then her residence*.

Truces,
and cruelty
of Edward.

EDWARD, however, still kept his forces before the town ; resolving to win it, ere he would give battle to the Scottish army, unless they should, with fool-hardy courage, attack his encampment. While Douglas in vain wasted Northumberland ; the truce between Edward and the governor of the town, expired ; and the English King instantly claimed that surrender, to secure the performance of which, hostages had been put into his hands. But, since the garrison had obtained some small supplies, in spite of the keenest vigilance of the besiegers ; and as Sir William Keith who entered with those supplies, had superseded Seton in the chief command : It was answered from the garrison, that, the town being relieved, could not be surrendered ;

* Fordun. XIII. 27. 128.

surrendered ; and the liberation of the hostages, was in turn required. Edward seeing himself thus mocked by what he deemed a deceitful evasion ; and enraged by those ravages of Northumberland which yet he would not raise the siege to check ; was exasperated to the fury almost of madness, by the answer of the garrison. The hostages were in his hands ; they were the children of Seton, and of the other principal persons within the town : On them, therefore, he threatened to wreak his vengeance. His threats could not move the Scots from the terrible firmness of their purpose. They execrated that violation of the law of nations which he menaced, but would not sacrifice the duties of the patriot to the feelings of the father. Thomas Seton, the son of Alexander, and now, the only surviving child of his parents, was, with inhuman cruelty, hanged before the walls of the town ; and the other hostages were spared only on account of their tender years, and because it was not likely that the murder of the rest, would produce any better effect than that of young Seton, in disposing the garrison to a surrender. Yet again, Edward found himself obliged to grant a second truce to the besieged ; Sir William Keith was permitted to pass out for the purpose of seeking counsel and relief from the Scottish Regent who was with his army in Northumberland ; and it was agreed, that, unless a reinforcement of two hundred men

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men should be introduced into the town, to the aid of the garrison, before the hour of evening-prayer, on the nineteenth day of July; the besieged should then deliver up the town and castle to the English, upon fair terms of honourable capitulation*.

Battle of
Halidon
hill.

THE Scottish army were no sooner informed of this truce, than they hastened backward, to save the town by throwing into it new supplies, or by giving battle to the enemy. The English army still maintained the same advantages of local situation, which had before deterred the Scots from attacking them. But, there was now no room for choice or delay. After the rest of a single night, the Regent drew out his troops in order of battle; and attempted to introduce the necessary supplies; not without the purpose of joining in a general engagement, if the relief of the town, might not be more easily accomplished. His forces, consisting of about fifteen thousand men, of whom the greater number were light-armed, he distributed into four columns, which were severally commanded by John Randolph the young earl of Moray, Robert Steward of Scotland, the Regent himself Archibald Douglas, and Hugh earl of Ross. The Scots, to begin

* Fordun. XIII. 27 :—*Scala Chronica* in Dalrymple, Vol. II. Append. 5.

begin the attack; had to cross the marshy plain, and to ascend the heights of Halidon, beyond which the enemy awaited their approach. In a first effort, the full-armed soldiers of the Scottish army, endeavoured to break through the posts of the English, to where they might be received by the garrison into the town. They were repulsed with great slaughter. Ere this time, however, the whole Scottish army had advanced to sustain that first attack, and to charge the whole force of the enemy. The column commanded by the earl of Ross, assailing the flank of the English army with mighty impetuosity, seemed at first likely to make an impression, but were soon disordered and driven back. The fight had now become general: the Scots, considering the fate of the liberties of their country, to depend upon the event of the battle, fought in every part of the field, with that desperate intrepidity which well became the ancient fame of their patriotism and valour. But, against such odds, in local circumstances so disadvantageous, and at the same time in opposition to enemies who were not less brave, and were probably better disciplined, and more completely equipped than themselves, the Scots could not prevail. The flower of their nobles and warriors fell, bravely fighting: Many were made prisoners: The rest sought their safety in flight. Disappointed, in this manner, of all relief, the garrison of Berwick surrendered

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Second
Parlia-
ment.

Conces-
sions to
England.

AT their first meeting, however, the Parliament of Balliol, made but little progress in the settlement of the affairs, on account of which they had been called together. Rival claims could not be easily adjusted: there was still in mens' minds, a wavering of purpose, a turbid ferment of sentiments and passions, which rendered them incapable of steady faith, or calm decision; Balliol durst not proceed to establish himself in the dominion of Scotland without fulfilling his treaty with the king of England; and yet, a measure so degrading as the confession of the supremacy of the English crown, and the dependency of that of Scotland, was not to be proposed in a Scottish Parliament, without extreme delicacy and caution, or without the previous use of all the artifices of political intrigue, in order to secure to it a favourable reception. Within a few months, however, at a second meeting of his Parliament, Balliol procured the ratification of all his engagements with England. To all that Balliol had formerly consented to; submission to the paramount authority of England, service in the English wars with France, the absolute and final surrender of the town and territory of Berwick; his Parliament now gave their concurrence and sanction. Nay, in the written deed in which these were formerly expressed, the concession of Balliol was enlarged, so as to include the forests of Jedburgh, Selkirk, and Etrick; the

counties of Roxburgh, Peebles, Dumfries, and Edinburgh; with the constabularies of Linlithgow and Haddington; and all the towns and castles within these territories. Balliol soon after presenting himself before the English King, at Newcastle upon Tyne, there did homage for the remaining parts of the kingdom of Scotland. Edward restored to Balliol, the lands of Buittle, Kenmore, and Kirkandrews, ancient estates of his family, which had been unadvisedly included in the surrender of the territory of Dumfries. These transactions were finally closed: And Balliol having fully gratified his potent ally, turned himself to enjoy and exercise that sovereign authority which he fancied his valour and discretion to have won*.

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BUT, the strength and union of Balliol's party were for ever broken by those very events which seemed to have more than crowned their hopes, and to have permanently established their interests upon a secure foundation. The English barons, and the exiles who had been the first to espouse his cause, could not be easily satisfied that any offices and estates which he had to confer, were compensations adequate to their services and merits. Scarcely a single favour or reward was bestowed

Diffen-
sions a-
mong the
adherents
of Balliol.

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* *Fœdera* IV. 590. 614. 616. 618:—*Hemingford* II, 277, &c.

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flowed upon any one of them, without provoking the envy and jealousy of the rest. Personal friendship from the King, the degree of attention with which their ancient claims were respectively received, and the distribution of the various forfeited estates of the Brucian party ; were so many objects by which all their angry passions, and all their mutually invidious sentiments were kindled, and soon inflamed to furious hostility. Balliol, so lately a needy adventurer, like themselves ; even now, not an independent sovereign, but a vassal of the English monarch ; and not yet enjoying the undisputed possession of all the lands and castles which the grasping ambition of Edward, had left to him ; wanted sufficient power, to restrain their contentions. Amidst other discords, there arose among them one quarrel which quickly drove a haughty baron into open revolt. Alexander de Moubray, claiming the succession to the inheritance of his deceased brother, in preference to that brother's surviving daughters, had his claims at first allowed, and obtained the enfeoffment which he demanded. Upon this, De Beaumont and De Hastings, Earls of Buchan and Athole, and the most eminent of all the barons who had followed Balliol from England, espoused the cause of the injured females, and in disgust retired from Balliol's Court. They were courted back by concessions, by new grants, and by the resumption of that which had been granted to Moubray. But, Moubray,

bray, provoked beyond measure, by a postponing of his interests to the wishes and interests of those rival barons, which was now more mortifying and contemptuous, than if his desires had been, in the first instance, absolutely refused; now in his turn retired disgusted, from Balliol's Court, deserted that party to which he had hitherto adhered, and fought the redress of his wrongs, by striving to rekindle the yet smoking embers of the party of Bruce*.

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THE season was fortunate. The lately ebbing tide of Bruce's affairs, began again to swell. Murray of Bothwell, newly released from captivity, and probably not without having sworn fealty to Balliol, and to England; eagerly associated himself with Moubray. Another Moubray, the governor of Roxburgh, soon revolted from the English King, and followed the fortunes of his kinsman. These insurgents speedily shewed themselves in Buchan, in such force, that, besieging Henry de Beaumont in his castle of Dundarg, they quickly reduced him to a capitulation, by which he obtained liberty to retire, uninjured, into England. In the north-west parts of the island, about the same time, Robert, the son of Walter Stewart and Majory Bruce; himself, by inheritance, great steward of Scotland; after

New efforts in behalf of David Bruce.

* Fordun. XIII. 29.

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after lurking secretly in the isle of Bute, for some time subsequent to the battle of Halidon; returned to the castle of Dunbarton upon the mainland; quickly, by the aid of Campbell of Lochow, won the castle of Dunoon; by the faithful intrepidity of his vassals in Bute, recovered that whole isle from the adherents to Balliol; and then advancing inwards through the territory of Renfrew, reduced all its inhabitants to own the sovereign authority of David Bruce. De Ross, Balliol's governor of Ayrshire, submitted, without resistance, to the conqueror of Renfrew. The people from all quarters again crowded to join the standard of young Stewart, and to fight for the son of Robert Bruce. The young earl of Moray, returning from a short exile in France, to which he had escaped after the battle of Halidon; was immediately associated with Stewart in the Regency of the kingdom for David Bruce; and without delay, made himself master of the territory of Athole, and even gained its earl, David de Hastings, to desert the cause of the usurper, and attach himself to the fortunes of the lawful monarch of the Scots*.

Exertions
and successes
of Bal-
liol, aided
by the
English.

BALLIOL, confounded and overwhelmed by these new events, found himself helpless and irresolute as to any measures of opposition to this gathering.

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* Winton. Book VIII:—Fordun. XIII: 29. 32:—Buchanan. L. IX:—Major. L. V: C. 13:—Boeth. XV.

thering host of foes: He saw the Scots every where SECT. I.
CHAP. III. averse from his government: The ancient followers of his fortune, began to waver in their fidelity, and to abandon his cause: Even of the English, he had not a force at hand, which might be sufficient for his immediate protection and support. But, the English King was still ready to lend new aid to his royal vassal. Edward Balliol having retired, for some short space of time, again into England, was quickly sent back with an army, with which he was once more enabled to meet the adherents of Bruce. He fought them in the district of Renfrew; wasted Avondale and the territories adjacent; and spending some short part of the winter in the royal castle of Renfrew; easily recovered to his allegiance, not a few of those whom Robert Stewart had lately won to the obedience of the exile King. From Renfrew he passed into Lothian; and there without opposition, executed summary justice upon all rebels against his authority, or violators of the ordinary peace of the society under his government*.

YET, these were but vain or petty acts, serving neither to reconcile to his interests those of his former adherents by whom he had been abandoned,
nor

* Hemingsford II. 277;—Fædera IV. 628:—Fordun. XIII. 29:—Buchan. L. IX. &c.

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Unsuccess-
ful siege of
Lochleven
castle.

nor to extirpate the unalterably faithful friends of the rival family. The northern, the western, and even some of the middle districts of Scotland, were again covered by his enemies. The ancient southern frontier of Scotland had been, by his own act, delivered up to the English. Of those dominions of which he was a nominal sovereign, how small a part actually remained to him? The earl of March, whom necessity had constrained to profess himself for a time the vassal of Balliol and of England, no sooner saw new hopes arise to the Brucian party, than he returned to the allegiance of the rightful monarch of his country. Lochleven-castle, one of the strongest fortresses which were possessed by the subjects of Bruce, was indeed besieged for Balliol by a powerful force under the command of John de Striveling. This castle, however, seated in an islet within the lake, was not easily accessible to besiegers. Yet, by the contrivance of damming up with a strong mound, the stream of the Leven, where it issues eastward from the lake, de Striveling had at length hopes, which were not far from being fulfilled, of producing an artificial inundation, that by swelling the waters of the lake till they should cover the isle, might reduce the garrison in the castle to the necessity of surrendering to the besiegers, as their sole resource against perishing in the flood. Fortunately for the besieged garrison, the festival of the sainted Queen Margaret, called

called away many of the besiegers to its solemn celebration at Dunfermling, amid the operations of the siege. De Vipont, who commanded in the castle, watchfully seizing the opportunity, dispatched four trusty soldiers, who secretly approaching the mound that dammed up the outlet from the lake, succeeded in forming a breach in it, by which the pent up waters quickly gushed forth, soon leaving the lake at its former level. De Striveling at his return from Dunfermling, beheld the ruined work with inexpressible vexation and rage; and indignantly vowed never to desist from his enterprise, till he should have taken the castle, razed it to the ground, and put the garrison to the sword. This rash vow, however, after some farther fruitless efforts, he found himself shamefully compelled to leave unaccomplished. Lochleven-castle still remained to the Brucian party; and its safety was by the superstitious piety of the age, ascribed to the care of Saint Servanus, an ancient hermit-disciple of Columba, to whom there was a chapel sacred in an islet of the lake.—These successes encouraged the adherents to the interests of Bruce, to assemble in a Parliament, at Dairfy in Fife, for the purpose of arranging the affairs of the government, and in order to concert new measures of defence, and offence against their common enemies. But, the same jealousies and rivalities which had distracted the party of Balliol, here embroiled and disconcerted

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Dairfy.

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concerted the counsels of his opponents. Young Stewart with Hastings the intriguing and turbulent earl of Athol, were for a moment suspected of some dark designs inconsistent with the loyalty they professed to David Bruce. Young Randolph, earl of Moray, and William Douglas, the Knight of Liddesdale, now returned from captivity, set themselves in opposition to the interests and designs of Stewart and Hastings. No regulations of government could be framed, no general plans of warfare could be concerted in this divided Parliament. The angry barons separated, in confusion, and with spirits less disposed to cordial union for the support and advancement of one common interest, than before they had assembled*.

A new and more formidable invasion from England.

MEANWHILE, a new invasion was fast approaching from England. Balliol was but the puny and temporary instrument of the English King. It was more for England, than for himself, he conquered: Without an English force he could do nothing; neither his name, nor family, nor person could win any steady attachment of any considerable number among the ancient Scots. But, Edward of England, would not easily relinquish the prosecution of that favourite plan of policy in which his grandfather and his

* Fordun. XIII. 30, 31:—Boeth. L. XV. Fo. 230:—Buchanan. L. IX. &c.

his father had been engaged so long. His Parliament, in this instance, adopted his passions and political views, and eagerly seconded his ardour. In vain, did the French King offer his intermeditation in favour of young Bruce and his faithful adherents. It was scornfully rejected. Edward, in person, invaded Scotland from the western marches, with a powerful force. Balliol, with the earl of Warenne, at the head of another body of troops, advanced almost in a parallel progress; a fleet with provisions and military stores, sailed at the same time along the eastern coast; and a body of Flemish soldiers, commanded by Guy, count of Namur, and engaged as mercenaries in the service of England, soon after, landed at Berwick, and marched northwards to Edinburgh, on their way to join the grand English army. The King of England, and Edward Balliol pursued their career, almost unencountered by any opposition. But, the Flemish mercenaries unacquainted with the local circumstances of the country, and ill-informed concerning the progress of the army which they were proceeding to join; had scarcely reached Edinburgh, when they were surprized by the sudden appearance of a hostile Scottish force, which the Earls of Moray and March, with Sir Alexander Ramfay, led on to attack them. Edinburgh was then open and desolate; the castle dismantled; the town without walls. Count Guy led out his troops

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Defeat of
the Flemish mercenaries
on the
Boroughmoor, at
Edinburgh.

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to

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to meet the Scots on the Borough-moor. A fierce and obstinate engagement ensued. Amid its hottest rage, two champions from the two opposed hosts, agreeably to the usages of warfare prevalent in those times; Richard Shaw, a Scottish esquire, and an unknown combatant from among the Flemings; challenging each other, engaged in single combat, within sight of both armies. At the first rencounter, they were mortally transfixed with each other's spears. When the dead bodies were afterwards stripped of their armour, it was found to be a woman who had so gallantly challenged the Scottish esquire. At last, the Flemings were about to prevail, when William Douglas, opportunely descending from the heights of Pentland, with a reinforcement to his countrymen, at once decided the victory in favour of the Scots. The routed Flemings betook themselves to the hill on which the castle had stood, and sought shelter amid its ruins. With the carcases of their horses slaughtered for this purpose, they attempted to form a rampart against the Scots; who, fast following their steps, surrounded and hemmed them in on all sides. Within this strange inclosure, they for some time bravely kept their enemies at bay. But, thirst and hunger compelled them to yield by capitulation. By the Scots to whom they surrendered, the terms of the capitulation were fulfilled with punctilious honour. The Count of Namur and his followers, swearing

swearing on their part, never more to bear arms against Scotland in the present war, were set at liberty, and were carefully escorted by the Earl of Moray, with William Douglas and his brother James, to the English border. On their return, these gallant chiefs were attacked by the English warden of Jedburgh-forest; their slender company was easily scattered; James Douglas was slain; and the Earl of Moray made prisoner*.

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WHILE these transactions were passing in the southern and south-east parts of the kingdom; such of the inhabitants of the other districts, as still remained faithful to David Bruce, in the mean time retired with their herds and moveable goods to the mountains and morasses; leaving the country desolate before the invading armies of the English. Edward's fleet entering the frith of Forth, ravaged the coasts, sacrilegiously pillaged the holy isle of Inch-Columb, and then proceeded northward, along the coast, to St Abb's head. The English monarch himself, with his main army, had, at the same time, advanced across the land, to Perth. No Scottish army made head against him. Terrified by his irresistible career, reduced by famine, or allured by offers eagerly held out to them, many of the

* Fordun. XIII. 34, 35 :—Boeth. L. XV. Fo. 331 :—
Federa. IV. 658.

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the partizans of David Bruce, now voluntarily submitted themselves to England, and to Balliol. The Earl of Athole, particularly, and young Robert Stewart, who still suffered himself to be guided by Athole's counsels; warmly espoused the English interests. Athole, pretending that the purpose of his former revolt, was solely that he might find more effectual means for promoting the service of the monarchs to whose allegiance he now returned; and holding forth magnificent promises of speedily reducing all the Scottish Nobles to follow his own example, and own Balliol for their sovereign; had all his estates in Scotland and England, restored and confirmed to him; and was even nominated Lord-Lieutenant of the former kingdom. A formal treaty was negotiated between Athole, Stewart, and their friends and adherents on the one hand, and Balliol and the English King on the other. This treaty granted a free amnesty to all who having been partizans of Bruce, should henceforth submit to the authority of Balliol; sanctioned the liberties of the Scottish church, and the ancient laws and usages of the kingdom; and excluded foreigners from all public offices in Scotland, except only the administration of the royal domains. Persuaded that, by these successes and negociations, he had at last established on a solid foundation, the authority of Balliol and of England, among the Scots; Edward the Third now returned south-

ward;

ward; while Balliol turned himself to maintain SECT. I.
CHAP. III. and strengthen his interests by his own exertions; and Athole with subtle policy and active vigour, A. D.
1335. prepared to fulfil those splendid promises by which he had procured his pardon*.

BUT, there was yet a smouldering flame of fond patriotism, of fierce independence, of generous loyalty among the Scots, which fears, hopes, interests, and even solemn engagements, could not totally extinguish. Murray of Bothwell, Douglas of Liddesdale, and the Earl of March, hiding themselves in secret recesses, refused all submission to the authority of Balliol and the King of England. Even the English barons in the southern parts of Scotland, and on the border, sacrificing the interests of their sovereign to private jealousy or friendship, rather favoured than earnestly pursued those three illustrious outlaws, in their attempts to evade, and again harass the power of Balliol. The castle of New enterprises
of the
friends of
Bruce. Kildrummy, the possession of Murray, and at this time the residence of his wife and children, being besieged by Athole, amid his endeavours to subject those northern parts to the authority which he himself obeyed; intelligence of its danger was quickly communicated to Murray himself in the place

* Fordun. XIII. 36:—Major. V. 14:—Boeth. XV. Fo. 332:—Hemingf. II. 48:—Fad. IV. 664.

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1335-

Death of
Earl of A-
thol.

place of his retreat. Assisted by his two associates, March and Douglas, Murray assembled in the districts of Merse and Lothian, a small company of about eight hundred men, and with these proceeded northwards to attack Athole's army, and raise the siege of his own castle. Athole's troops amounted to the number of three thousand men, but were indifferently accoutered, and not ardently attached to their leader. On his march, Murray was joined by three hundred men from the district of Marre, under the command of John Craig. Strengthened by this reinforcement, and likewise informed concerning the disposition, the temper, and the operations of the enemy; Murray surprized Athole in the forest of Culblane, adjacent to Kildrummy; easily defeated and dispersed his whole force; and slaying Athole himself, thus delivered Scotland from the fickle and turbulent ambition of a young baron, whose restlessness might seem to render him incapable of faithful attachment to any party, and whose influence and abilities could not but make him a formidable enemy to whomsoever he should oppose*.

THE immediate consequences of the death of Athole, of the dispersion of his troops, of the relief

* Fordun. XIII. 36:—Major. V. 14:—Buchanan. L. IX:—Boeth. XV:—Fo. 332.

lief of Kildrumny-castle, were highly fortunate to the cause of David Bruce, and of the national liberty of the Scots. By this success of Murray, the scattered partizans of Bruce were encouraged, once more to descend from their mountains, to come out from their secret fastnesses, and to join the gallant champions of their country. From the districts of the North, they returned southward; and at Dunfermling, assembled in a solemn parliament in which Sir Andrew Murray was again recognized as Regent of Scotland, for his nephew David Bruce. Having in this Parliament concerted measures for the recovery of the castles and territories of Bruce out of the hands of the usurpers, they proceeded without delay, to the prosecution of new enterprises. The castle of Dundarg which had been not long since demolished, but afterwards rebuilt, and which was now held by Henry de Beaumont; was by him surrendered to the Regent, on condition, that Beaumont himself, with his followers should be dismissed in safety into England, but should never more voluntarily serve against the Scots. The castle of Coupar in Fife; held by William Bullock, a priest, for Balliol and the English, was besieged by Murray; but its strength, the firm intrepidity of Bullock, and the news of a treaty of truce obtained by the Pope and the Kings of France from the King of England in behalf of the Scots; retarded the capture of this castle;

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of the Re-
gent and
his adhe-
rents.

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castle; and the siege was turned into a blockade.

The castle of Lochindorp, the residence of Catherine de Beaumont, widow of the Earl of Athole, being likewise besieged by Murray's forces, was also saved from capture by a truce to which the King of England consented, in order that he might thus gain time to muster forces for another invasion of Scotland*.

Measures
employed
by Balliol
and the
English
King for
the sup-
port of
their pow-
er.

IN the mean time, Edward and his vassal Balliol had, by various other transactions endeavoured to strengthen their power over the Scottish dominions. To John, Lord of the Western Isles, the descendant of Somerled, the ancestor of the Macdonalds, offers were made by Balliol, so advantageous, that the almost independent, insular chieftain was induced to desert the interests of Bruce, and to profess himself the vassal of Balliol. Mull, Sky, Islay, and Gigha, with the other more considerable Hebrudian isles, and the districts of Cantyre and Knapdale upon the Mainland, as well as the wardship of the infant-heir of the earldom of Athole; were eagerly granted by Balliol and the English King, to secure the allegiance of so potent a vassal. But, the treaty, as it should seem, rather strengthened and extended the power of the Lord of the isles, than brought any accession of force and authority

to

* Fordun. XIII. 36 :—Fœdera. IV. 690.

to Balliol and the King of England. Edward at the same time strove to secure the defence of those territories which had been finally ceded to England, by his treaties with Balliol; and for this purpose, distributed the lands in grants to some of his barons, who might be expected to fight with zealous intrepidity for the preservation of possessions which had thus become their own. On William de Montague he bestowed the town and sheriffdom of Peebles, the town and sheriffdom of Selkirk, the forests of Selkirk and Ettrick. To Henry Piercy he gave the town, castle, constabulary, and forest of Jedburgh; in exchange for the castle of Lochmaben, with the districts of Annandale and Moffatdale, which were resigned by Piercy to the King*.

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BUT, the efforts of the Scots under the Regency of Sir Andrew Murray, the earnest solicitations of those who were confined in the besieged castles, and his suspicions that a force might soon arrive from France, to the aid of the faithful subjects of David Bruce; again moved the King of England, to come northward in person; for the purpose of finally subjugating the refractory Scots. He came at the head of an army of twenty thousand men; and his progress by land, was, as before, accompanied by a fleet sailing along the eastern coast.

Another
invasion.

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While

* *Fœdera* IV. 711. 671, 672.

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While he led his land-army, with the utmost haste, toward Perth; his fleet, after entering the frith of Forth, and ravaging the adjacent lands as far as Alloa and Stirling, then held its navigation onwards to the frith of Tay. From Perth, Edward rapidly proceeded into the more northern counties; raised the siege of the castle of Lochindorp, ravaged the whole district of Moray, and penetrated as far as Inverness. Thomas Rosheme, a knight belonging to the fleet, landing about this time near Aberdeen, was eagerly opposed and slain by the citizens of that town. Although Rosheme fell, his followers were victorious; and Edward failed not to punish the rash valour of the inhabitants of Aberdeen, by reducing their town to ashes. Even this progress of Edward's, however, could not finally destroy the party of Bruce: for, Andrew Murray with his followers and adherents, neither meeting the English in battle, nor yet coming to make their submission, were content with retiring before the overwhelming tempest, to their remote hills and fastnesses, from which, after the departure of the conqueror, they might again rush down upon the territories which he now over-ran, and might soon overturn all his establishments. However, to secure his conquests against such attacks, Edward repaired and garrisoned the fortresses of Dunnottar, Kinclevin, Laurieston, Stirling, Bothwell, Edinburgh, and Roxburgh; left at Perth, a considerable body of troops;

troops ; and then went southward whither he was called by the necessities of his other affairs*.

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New enterprises
and successes of
Sir Andrew Mur-
ray.

AFTER the departure of Edward, his officers, soldiers, and other adherents continued for some time, industriously to pursue the advantages he had gained over the Brucian Scots ; and inflicted many vengeful cruelties on those who unfortunately fell into their hands. Henry de Beaumont, particularly, in revenge for the death of his son-in-law, the Earl of Athole, eagerly hunted out, and put to death, as many as he could possibly discover of those who had fought on the side of Murray in the battle, of Culblain. But, the English King had not long been gone, when Sir Andrew Murray, again descending from the mountains of the North, shewed himself with a considerable force in the territories which Edward had subdued ; besieged, took and levelled to the ground, the castles of Dunnottar, Kinneff, and Lawrieston ; and for a while, lurking in the woods of Angus, made continual excursions against the English who had their head-quarters at Perth. From Angus, he soon after passed over into Fife ; the Earl of March, Sir William Douglas, and many other Scottish barons were in his company ;
having

* Fæderæ IV. 687 :—Hemingford II. 278 :—*Scala Chronica*, apud Leland, 1. 556.

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having taken and demolished the tower of Falkland, they advanced to St Andrews; and after they had for three weeks besieged the castle, they made themselves masters of it by a capitulation, which protected the lives and liberties of the surrendering garrison. Having also destroyed this castle, they with similar success assailed those of Leuchars and Bothwell. A remarkable piece of artillery which they carried about with them, was the engine which secured the success of all these sieges, here by the shattering impression which it made upon the besieged walls, there, by the terror which was inspired by the very report of what its discharges had elsewhere effected. Only the castles—of Coupar which was still ably defended by William Bullock; and of Stirling for the relief of which the English made some active and alarming movements; from among all the places of strength which the Scottish barons about this time assailed; were held out against their attacks*.

Political
views of
the Eng-
lish King
on the
continent.

WHILE these events were passing in Scotland, the King of England was, fortunately for the Scots, allured away by other hopes and loftier views of ambition, to distant scenes of war and conquest, on the continent of Europe. Ever since the descen-
dents

* Fordun. XIII. 39 :—Buchanan. L. IX :—Winton. Book VIII.

dents of Rollo had added the kingdom of England to the dutchy of Normandy ; the Kings of France had ceased to view such potent vassals, with other eyes than of jealous hostility. Many wars had from time to time arisen between the two Crowns. But, intermarriages and alliances of affinity, had been occasionally resorted to, as expedients for closing those wars in peace, or for confirming uncertain, precarious peace, from the bosom of which, war seemed still ready to burst forth. Edward the Third of England was the son of one of those marriages ; his mother Isabella, being the daughter of Philip the Fair, King of France. The three brothers of Isabella, successively Kings of France, had all died, without leaving male issue. By the acknowledged custom and laws of succession to the French Crown, females were excluded from this royal inheritance ; and Philip of Valois, the cousin of Isabella of England was, accordingly called to occupy the throne, upon the death of Charles the Fair, the last survivor of her brothers. In opposition to this destination of the inheritance of the French dominions, her son Edward set up his own claims ; alledging that, however his mother as a female, might be legally incapable of succeeding to the throne of France ; yet, was he her son, agreeably to the generally received principles of the feudal law, qualified to inherit from her, rights to that throne, which could not have immediately

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diately availed herself. Stimulated by youthful ambition, and by the martial spirit of the age; led on by the counsels and invitations of some discontented French Barons; and provoked by various petty acts of opening hostility: Edward resolved to make good his pretensions by force of arms, and if possible, to atchieve the conquest of France. Full of these hopes and purposes, he turned his attention from Scotland, the final conquest of which, if this had been the sole object of his ambition, he might have perhaps, at length accomplished; to exhaust the strength of his kingdom in vain foreign enterprizes, which were at once to impoverish the wealth, and thin the numbers of his subjects, and by their natural consequences, to impair his own royal authority*.

Naval
transac-
tions.

WHILE the king of England was thus concerting measures, and preparing fleets and armies for the invasion of France; the Scottish royalists used some efforts to procure from abroad that naval armament which they wanted means to equip at home, for the protection of their coasts from the ravages of the fleets of England. At Genoa they hired some gallies for this purpose; which were, however, seized and burnt, by order of the Genoese senate, as soon as their destination was known. From France,

* Froissard; Rymer, Vol. IV. &c.

France, a small naval force was fitted out by the partizans of David Bruce; which, if it did not immediately fail for the Scottish harbours; was, however, not less usefully employed in infesting the English coasts, plundering the isles of Guernsey and Jersey, and capturing many English merchant vessels in those narrow seas. Yet, the Scots soon after suffered a disaster at sea, which was to them much more grievous than all the petty evils which their ships could inflict upon the English. In two vessels under the command of John Bishop of Glasgow, a number of exiles who had formerly retired to France, from the power of Balliol and the English, were on their way home; and brought with them military stores and money, the presents of the French King to his Scottish allies. At sea, they were met by the English admiral, John de Ros. A desperate conflict ensued; the bishop of Glasgow was mortally wounded; the Scottish vessels were taken; and in them those supplies which were anxiously expected in Scotland, and many noble youths, the hopes of the most eminent families among the Scots*.

MEANWHILE, the Regent and the other Scottish Barons of the party of Bruce; now masters of a great

* Fœdera IV. 700. 721 :—Fordun. IV. 727 :—Heming. II. 280.

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great portion of the midland districts of the kingdom; and having by the capture of Bothwell-castle, opened to themselves a passage toward the western border of England; went on an enterprize to retaliate the invasions by which their country had so long been harassed. They entered Cumbeland; and wasting the country round Carlisle; returned with their booty safely home*.

Transac-
tions in
Lothian.

THE siege of the castle of Edinburgh, now rebuilt and fortified by the English, was the next great enterprize in which Murray and the Scottish Barons engaged. When they advanced towards Edinburgh, the inhabitants of East, and of Mid Lothian, either awed by their force, or glad to forsake the English, as soon as they could be protected in the desertion; renounced, for the greater part, their fealty to Edward, and submitted to the government which ruled for David Bruce. But, while the siege of Edinburgh-castle was earnestly pressed by the Regent's army with fair hopes of success; the English, informed of its danger, hastened from the border, in considerable force, to raise the siege. At Crichton in Mid Lothian; they were encountered by a body of Scots, under the command of William Douglas. A desperate action was there fought, in which neither party prov-

* *Scala Chronica* apud Leland, I. 556.

ed decisively victorious. Douglas himself was grievously wounded; and Sir Andrew Murray, in consequence of these events, found it necessary for a time to relinquish the siege. Yet, to preserve, at least in part, that authority which he had recently acquired in Lothian; the Regent appointed Laurence Preston to be sheriff of the district. A number of its inhabitants still adhered to David Bruce: And as the rest were attached to the English interests; many mutual hostilities ensued between the two parties, by which this whole region was wasted almost to utter desolation. The English garrison in Edinburgh-castle, no sooner saw themselves relieved from the siege by which they had been for a while sorely pressed, than they renewed their excursions through the circumjacent country; plundering and cutting off the Brucian Scots wherever they could find any of their goods, or could surprize themselves in stragging parties. The unarmed and helpless peasantry, they pillaged and massacred with the most wanton cruelty*.

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It was amid these transactions, that they were one day conducted by a bold Scot, whose name was Robert Prendergrest, to the capture of a rich booty in cattle on Calder-moor. Prendergrest was at once the guide of the expedition, and the brave-

Bold deed
of Robert
Prender-
grest.

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est

* Hemingford. II. 280:—Fordun XIII. 44.

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est. after in its accomplishment. Yet, amid the festivities of the evening, after their return home, instead of being honoured for the good service he had that day performed, he found himself seated at table in a mean place, among the servants. Enraged at the undeserved indignity, he sat sullenly still, without eating or joining in the gaiety which reigned around him; until the marshal, noticing his abstinence and ill-humour, asked him the cause. Prendergrest returned an angry, haughty answer; upon which the marshal struck him on the head, till his blood gushed copiously from the wound which was thus inflicted. The Scot with seeming patience bore this new injury; but took the first opportunity of retiring that evening from among the English in the castle, to an inn in the town. Here he lay in wait till the marshal with some followers came next day down into the town, perhaps unarmed, and assuredly without expecting any instant danger. No sooner, however, was the marshal seen by the vengeful Prendergrest, from where he awaited his enemy's approach, than the Scot rushed with the rapidity of lightning, from his concealment; with a drawn sword pierced to the heart the proud Englishman, by whom he had been injured; mortally wounded three of the marshal's followers who attempted to seize or slay him; and then quickly mounting his horse that stood in readiness, escaped unhurt to St Augustine's

tine's chapel, within the sacred precincts of the ^{SECT. I.} ^{CHAP. III.} monastery of the *Holy-Rood*. The English followed furiously after, and found him kneeling before the altar in the chapel. But, venerating the sanctity of the place, they durst not there slay him. To satiate their vengeance, therefore, without the direct commission of sacrilege, they set a guard upon the door of the chapel, strictly hindered meat or drink from being conveyed to the refugee within, and even pricked his body from time to time, with the points of their weapons, to prevent him from receiving the refreshment of sleep. But, the friars pitying his distress, secretly brought him provisions; entering by night at the roof, through passages unseen by the English soldiers. For twelve days and twelve nights, the English kept Prendergrest thus shut up in the chapel; daily expecting to see him die by the torments of hunger; while the friars, each night, supplied him with new refreshments. At last, on the morning after the twelfth night, three of the holy brethren let down to him a strong rope; which having fastened about his waist, he was thus drawn up by them out of the chapel, and secretly conveyed into the monastery. Here the good friars without delay disguised him in a friar's garb, and soon after carried him out to walk with them on Salisbury-heights; from which they sent him away in safety. He forthwith repaired to William Douglas, who lay with a party

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ty of troops, on the moors of Pentland; and communicated to Douglas such intelligence as enabled him, on the following night, to come upon the English, while they lay incautiously scattered in the town, and to slay about eighty of them, without endangering his own safety, or that of his followers*.

Siege of
the castle
of Dunbar.

To relax for some time the active hostility of the Scots, while his military and political cares were turned chiefly towards the continent; the English King now for some months amused them with negotiations for an armistice or a final pacification. But, these negotiations proved fruitless; and the English renewing their hostilities, laid siege to the castle of Dunbar, the principal fortress that was yet possessed by the Scots on their eastern coast. William Montague, earl of Salisbury, led an army by land from Berwick, to besiege this castle; and at the same time, two Genoese galleys, commanded by John Doria and Nicholas Fiesca, were procured to block it up by sea. The castle was bravely defended by the daughter of Randolph, Agnes, Countess of March, in the absence of her Lord. For two and twenty weeks, the siege was vigorously urged by the English, and as bravely resisted by the Scots within. By its natural situation on a
rock

* Fordun. XIII. 42.

rock almost surrounded by the sea, it was nearly impregnable: It was fortified, besides, with all the strength of Art: But, its best defence was found in the more than manly heroism, wisdom, and activity of the Countess, who has been distinguished in history, in the way of eminence, by the familiar appellation of *Black Agnes*. By her example, by her generous munificence, by her ardent exhortations, she stimulated the garrison to a degree of constancy and intrepidity of which they must have been otherwise incapable. When Montague impatient of the lengthening out of the siege, prosecuted it with extreme eagerness, and employed the most powerful engines to make an impression upon the walls; the countess still shewed herself on the battlements, and contemptuously wiped away with a handkerchief, the dust with which the castle-walls were bespattered by the engines of the besiegers. Of those engines the most remarkable was one of that species called a *sow*: but when this was advanced to the walls, the besieged, by the direction of the Countess, suspended over it from the battlements, a huge fragment of a rock; and calling in scorn to the besiegers, that their *sow was about to farrow!* let fall the rock upon the engine, and thus crushed it into a thousand pieces. Yet, the siege was still earnestly prosecuted; the besiegers being prompted to persevere, equally by respect for their own honour, and by concern for the interests of their

SECT. I.
CHAP. III.A. D.
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1332.

their sovereign. An attempt to seduce a soldier in the garrison to betray the place, seemed to be at first not unsuccessful. The soldier was persuaded to accept the offers made him from Montague; entered into a correspondence with the besiegers; and at last agreed secretly to open the gate for their admission into the castle, at a fixed time. Montague, with a party of his soldiers, were ready at the gate, against the hour which had been mutually appointed between him and the Scottish soldier. The gate was opened: Montague himself was the first to advance; yet, as he passed in, one of his attendants, John Copland by name, pressed on before him: And no sooner did those within discern that one man had crossed the threshold, than they let down the portcullis; thus at once confining Copland, and excluding Montague with the rest of his party. Copland remained a prisoner; and the stratagem was entirely defeated: for the soldier by whose treachery the English commander had expected to gain possession of the castle, had been treacherous to none but him; and had amused him with the hope of admission to surprize the garrison, only of purpose to bring Montague himself into a condition in which he might be made prisoner. It was in consequence of mistaking Copland for Montague himself, that those within had so hastily let the portcullis down. Disappointed thus in every assault and every stratagem, the English

lish were at last compelled to convert the siege in-
 to a blockade; hoping yet to subdue by famine
 and the privation of all necessary relief, those whom
 they could not here by other means conquer. Yet,
 notwithstanding the vigilance with which they
 maintained this blockade, the brave Alexander
 Ramsay, with forty chosen companions, sailing in
 a dark night from the contiguous rock of the Bass,
 introduced themselves into the castle of Dunbar,
 by a postern adjacent to the sea, and thus so re-
 lieved and strengthened the garrison, as to enable
 them still to baffle every effort of their enemies.
 The English despairing of success, at last raised the
 siege, and marched away in disgrace from before
 a castle, to take which all their endeavours had
 been frustrated, chiefly by the wisdom and intrepid
 activity of a woman*.

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THE raising of the siege of the castle of Dunbar, so glorious and fortunate to the Scots, essentially contributed to animate their courage, and to improve the union, and augment the numbers of the party of David Bruce. In the northern parts of the kingdom, the chieftains and their vassals were for the greater part, cordially attached to the cause of Bruce, and of their country's freedom. Even

Successes
 of the
 Scots in
 the south-
 ern coun-
 ties.

* Hemmingford II. 28:—Fordun. XIII. 41:—Buchanan. l. IX. &c.

SECT. I.
CHAP. III.

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1338.

in the middle parts, the Brucian party prevailed more extensively than Balliol and the English. That territory which, in the partition of Scotland with his creature Balliol, the English monarch had reserved for himself, was again occupied or threatened by the Scots. Those castles and strong-holds, by which alone, the English still maintained a footing in the other parts of Scotland, were already either actually besieged by the Scots, or were at least reduced every day, into greater danger than before. Sir Andrew Murray, the Regent, about this time died. But, new heroes continually arose for the deliverance of their country, and the chastisement of its oppressors. Robert Stewart, no longer misled by the pernicious counsels of the fallen Earl of Athole, was chosen to succeed Murray in the Regency. Ramsay, whose gallantry had so periously brought relief to the garrison at Dunbar, now, with a company of brave young men, concealing themselves in the caves of Hawthornden, sallied forth from time to time, and harassed the English, wherever they could be encountered in those southern parts, with signal success. In one action, as he and his company were upon their return out of Northumberland with a large booty, they led into an ambuscade, a considerable company of English warriors, who, under the command of Robert Manners, met or overtook them; and cut off Manners and his party almost to a man.

William Douglas, not less intrepid and incessantly active, recovered from the possession of the English, the district of Teviotdale*.

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1339.

During all this time, Edward's concern was too exclusively engrossed by his affairs on the continent, to leave him leisure for new efforts to maintain and extend his power in Scotland. Endeavouring, however, to strengthen his fortresses against the menaced attacks of the Scots, he ordered ample supplies of provisions and military stores to be sent particularly to the garrisons at Perth and Coupar. William Bullock who had gallantly defended the latter of these places against the assaults of Sir Andrew Murray, was continued in the command of it. But, Edward doubtful of the fidelity of those to whom the custody of Perth, had been confided, required Balliol now to intrust the government of that important place to Thomas Ughtred, a man of whose loyalty and courage he entertained no unfavourable suspicions.

Coupar and Perth were the two places which the Scots at this time, the most earnestly desired to recover. Nor was it long till Stewart the new

Successful
sieges of
Coupar
and Perth.

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Regent,

* Fordun. XIII. 43, 44, 48, &c.

† Fœdera V. 68.

SECT. I.
CHAP. III.



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1339.

Regent, found means to make himself master of the former of these places. Bullock, who commanded in the castle of Coupar, although at this time, accidentally engaged in the service of the English, was in his heart, not unfriendly to the liberties of the Scots. Stewart opened a secret correspondence with him, and by offers more tempting to his private interests, than any thing he could hope to obtain from the English monarch, allured him to betray his trust, and to surrender voluntarily to the Scots, that castle which he had so gallantly defended against all their attempts to take it by violence. Thus master of the fortress of Coupar, the Regent next turned all his efforts against Perth, now the most important strong place which remained to the English, in those parts of Scotland. In the counsels of Bullock alone he found no mean resource, to prosper his enterprize. All the bravest warriors of his party eagerly strove, who should be foremost in its darings and dangers. William Douglas seasonably returning, at this juncture, from an embassy on which he had lately gone, to implore the aid of the French king; brought a fleet of five ships of war, and on board these, a considerable number of gallant, auxiliary warriors, all equipped in complete armour. Perth was therefore closely besieged by a formidable and well-appointed force: The French fleet guarded the mouth of the Tay, to prevent the garrison from sending out

out intelligence, or receiving relief by sea : The Scottish army pushed their assaults upon the town, with inconceivable activity and boldness. Yet, Ughtred, the governor, made a firm and gallant resistance. The fortifications were strong ; the garrison were abundantly supplied with provisions and all other necessaries ; and were little less zealous to fulfil their duty to the King of England, than was the Scottish Regent to reconquer the place for the sovereign whose authority he administered. At last, however, after many gallant soldiers had been slain, many dangerously wounded, on both sides ; when the besiegers had, by a mine, drawn off the waters from the trench surrounding the walls ; when, in consequence of this successful artifice, they had advanced their encampment close up to the town, and were preparing to make a general assault, and if possible, to take it by storm : Ughtred and his garrison, aware that farther resistance would be vain, agreed to a capitulation, and delivering up the town, were themselves honourably dismissed into England. Nor did the Regent, after this success, longer detain his French auxiliaries ; but having liberally rewarded their services, he permitted them to sail immediately away for France*.

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STIRLING-

* Fordun. XIII. 45, 46.

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CHAP. III.

—

A. D.
1339.

Capture of
Stirling
Castle.

STIRLING-CASTLE, less strongly garrisoned, but little less important to either party, than Perth, next drew the attention of the Scots. Stewart, with all his forces, marched, without delay, from the conquest of Perth to the siege of Stirling. Thomas Rokesby, its governor, with the garrison, dispirited by the general misfortunes of their friends in other quarters, and hopeless of relief from England; made but a feeble defence, and were quickly reduced to surrender to Stewart upon the same terms of capitulation which had been granted to the English garrison of Perth. The custody of this castle was then committed to Maurice Murray; and the Regent now master of all the territory, towns, and castles of Scotland which lay North from the frith of Forth, went upon a grand progress through those parts, to administer justice, and re-establish civil order*.

Ill success
of the Eng-
lish King
on the
continent.

EDWARD the Third of England, was, during a great part of this time, abroad on the continent, prosecuting his claims to the Crown of France. Having by various artifices and concessions, obtained from his Parliament of England, unusually large supplies for the exigencies of the continental wars; he engaged several German Princes, and some of the states of Flanders, to accept subsidies

* Froissart I. 74:—Fordun. XIII. 46.

fidies of his money, and to furnish him with forces and stores. At length he took the field with an army of fifty thousand men, and threatened to over-run France with an irresistible invasion. But, the French King was already prepared to meet him: His Allies were more concerned to receive their subsidies, than to forward his enterprize: His pecuniary resources already exhausted by drawing his army together, and equipping them in the first instance for the service, were altogether insufficient to support them even for a single campaign. He drew out his army on the fields of Vironfosse, in opposition to that of Philip: The French and the English mutually defied each other to combat: Yet, no battle ensued. Edward withdrew his forces into Flanders; and soon after returned to England, to contend with the jealousies and the refractory spirit of his barons; and to meet the unpleasant news of the misfortunes suffered by his arms in Scotland. Had it not been for his foreign enterprizes, and for the difficulties into which they led him; Edward might perhaps have accomplished the final conquest of Scotland; the Scots, at least, could not have so speedily traversed all his designs, and frustrated all his measures to enslave them*.

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1339.

A

* Froissart, Hemingford, Walsingham, &c.

SECT. I.
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1340.
Capture of
Edinburgh
castle.

A truce negotiated, about this time, between the Kings of France and England, was intended also to comprehend the Scots. But, the Scots were, at present too successful in their efforts for the deliverance of their country, to be disposed to interrupt those efforts by any temporary cessation of hostilities. In an inroad into England, led by the Earls of March and Sutherland, they were repulsed by Thomas de Grey. But, a stratagem which was soon after devised for the capture of the castle of Edinburgh, proved more successful. William Bullock, whose skill in the arts and devices of war, excelled that of almost all his contemporaries; was the author of the stratagem: William Douglas, William Frazer, and Walter Curry conducted its execution. Walter Curry, the master of the vessel destined for this service, received into his ship at Dundee, the other leaders of the expedition, with a band of two hundred resolute followers. From Dundee, they straightway sailed to Inchkeith in the frith of Forth. There casting anchor, Curry with only one or two attendants, came immediately on shore, and took his way to Edinburgh-castle. His attendants bore some leathern bottles of wine and ale, with a small quantity of biscuit; which Curry presented to the commander of the castle, as specimens of a cargo of provisions, which he pretended that he had brought from England for the use of the garrison. A merchant bringing
such

such a cargo, could not meet an unfavourable reception. His request of permission to bring his cargo, next morning, into the castle for sale, was eagerly granted. Returning to his companions at the ship, he informed them of the kindness with which he had been received, and of the unsuspecting admission which he was, on the following morning, to find at the gates of the castle. In the night, William Douglas, with the greater number of the party, landing from the vessel, hid themselves in ambush, where they might be ready for the enterprize of the morning. When the morning dawned, Curry himself, with a few others, repaired straight to the castle, with burthens of those liquors and provisions which they pretended to bring for sale. The gates were readily thrown open, as had been promised; Curry and his followers threw down their burthens in such disorder in the very gates, that these could not be immediately shut: At the sounding of a horn, a signal which had been previously agreed upon, Douglas and his company rushed out from their place of ambush. Ere the soldiers of the garrison could awake and seize their arms, the Scottish band had, all, entered the castle. Yet, a desperate conflict ensued, and many of the English were wounded, a number slain, some trampled to death, some dashed headlong from the walls, before the Scots could make themselves decisively masters of the place. No
 sooner

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SECT. I.
CHAP. III.

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1340.

sooner was the castle theirs, than the townsmen whom fear and necessity had alone subjected to the English, offered their services to Douglas, and professed their fealty to David Bruce. The custody of the castle, thus fortunately recovered, was intrusted to William Douglas, the bastard brother of William the knight of Liddesdale, who had so eminently assisted at its capture*.

David's re-
turn from
France.

VERY soon after the capture of Edinburgh-castle, David Bruce, with Jane his queen, arrived from France, to assume the government of his own dominions; landing at Inverbervie in the shire of Kincardine. Now in the nineteenth year of his age, he might be esteemed almost ripe for the active duties of royalty. His residence in France during so many of his boyish years, had saved him from the danger of captivity with the English. But, it had also estranged him from the manners and habits of life which prevailed in his own country; and had left room for the bold barons who in his absence maintained his cause, to acquire an influence and authority among his subjects, which it was not likely that he should soon be able to counterbalance or reduce within due bounds. He returned into a kingdom of which the

* Fordun. XIII. 47 :—Boeth. XV. Fo. 334 :—Buchan. L. IX :—Winton. Book VIII :—Major. L. V. C. 16, &c.

the greater part was now once more rescued from the power of his enemies. But, he returned to pursue a doubtful and perilous warfare, of which his Crown was to be the prize; with foes whose national strength if properly directed, was still evidently sufficient to crush with little difficulty, all the force and exertions of him and his faithful subjects; whose ambition for the conquest of his kingdom, had been inherited from generation to generation; whose policy was bold, subtle, artful, unrestrained by ties human or divine*.

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1341.

CHAPTER IV.

From the return of DAVID BRUCE out of France, to the time of his being made prisoner by the English at the battle of Durham.

DAVID the Second, with his consort, were received by their subjects, with the fondest joy, and with many loyal congratulations. By him those faithful subjects whose attachment to his interests, had been proved by their scorning for his sake, all the

Renewal
of the war
after Da-
vid's re-
turn.

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K

terroures

* Fordun. XIII. 49 :—Winton, Book VIII :—Buchanan. L. IX :—Lesh. L. VII. p. 242.

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terroures and seductions of danger, distress, avarice, and ambition, were naturally treated with the most grateful respect and kindness, which a man and a King could testify. His cousin, the Earl of Moray, lately returned from captivity in England; his nephew, Robert Stewart; William Douglas, the bold and indefatigably enterprizing knight of Liddesdale; the generous and gallant Alexander Ramsay; the faithful Malcolm Fleming; William Bullock, whose crafty counsels and unrivalled skill as an engineer, had been of the utmost service first to the English, and lately to the Scots; with many other heroes who had gallantly fought and conquered in the cause of their country and their king; were the first objects of the young monarch's favour, the illustrious ornaments of his Court, the surest defence of his dominions. Some few months passed undistinguished by any remarkable military transactions. But, David was not of an unwarlike temper; the south-west districts were still subject to English usurpation: Moray, Douglas, and Ramsay were Lords of the Marches: Edward would not yet withdraw his troops, and relinquish the hopes of subduing Scotland: And the prosecution of the war, was soon, therefore, furiously renewed*.

IN

* Fordun. Buchanan. &c.

IN the first months of the year one thousand three hundred and forty-two, the Earl of Moray led an army to invade the borders of England; and in the expedition, his young sovereign, without assuming any eminent command, served under his banner. They desolated Cumberland as far as Penrith, and without meeting any disaster, returned home in safety, with their booty.—About the same time, Alexander Ramsay, guided by the suggestion and counsels of a man named *Odo Ednam*, who was probably well acquainted with the local circumstances of the place; took with him a select band of followers; and scaling the walls of Roxburgh-castle, valiantly mastered the garrison within, and thus expelled the English from this important fortress and the territory depending upon it. The young King, pleased with this success of his arms, and charmed with the generous heroism of Ramsay by whom it was achieved; rewarded the service by conferring upon the victor, the custody of the castle, and the sheriffdom of the adjacent district; the last of which offices had been for some time held by the knight of Liddefdale. In another inroad into England, almost immediately subsequent to the capture of Roxburgh-castle, the Scottish arms were somewhat less successful. The King himself now led the expedition; the country was wasted by his troops: But five young warriors of rank, on whom David had recently conferred

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Inroads into England
with various success.

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red the honours of knighthood, being circumvented in a morass, at a distance from the strength of the Scottish army, were made prisoners by Sir Robert Ogle, who afterwards exacted a great sum of money for their ransom*.

Cruel
murder of
Alexander
Ramsay by
Douglas.

BUT, the young King was soon to experience in a remarkable instance, the impotence of his own authority, and the ungovernable fierceness of those barons by whom he was supported on the throne. Douglas, mortally offended by the loss of that sheriffdom which had been taken away from him, to be bestowed upon Ramsay, instantly vowed revenge upon the competitor who had supplanted him. Yet, by the interference of their mutual friends, the angry rivals had been apparently reconciled. On the part of Ramsay, the reconciliation was sincere; but with Douglas, it was unfortunately otherwise. Ramsay soon after repaired to Hawick, there to hold his Court, as sheriff of the district. In the church at that place, he expected the coming of those who had been summoned to attend his Court, and to support him in the execution of his office. While he there waited, slenderly attended, unarmed, unsuspecting and undesigning of mischief; William Douglas suddenly arrived, with a company of armed followers. Finding his hated

2 rival

* Fordun. XIII. 49:—*Scala Chronica, apud Leland.*

rival thus helpless against his fury ; Douglas, un-
 mindful of their late reconciliation, and of the fanc-
 tity of the place ; instantly attacked Ramfay, slew
 several of his attendants, severely wounded himself,
 made him prisoner, bound him with fetters, and in
 this captivity and confinement, conveyed him to the
 castle of Hermitage. At Hermitage, Douglas in-
 humanly cast his prisoner to perish in a dungeon ;
 suffering no food to be given him ; altho', as it is said,
 by picking up some grains of corn which he found
 accidentally scattered in the place of his confine-
 ment, the unfortunate Ramfay found means, there
 to protract his miserable existence for the space of
 seventeen days. Thus died by the most wretched
 and tormenting of deaths, the generous and gallant
 Ramfay, than whom no Scottish knight of the age
 in which he lived, has been handed down to poste-
 rity with a fairer fame. None had exceeded the
 deeds which he had already performed ; and bound-
 less were the hopes which his country had conceiv-
 ed of him.—In vain did David Bruce wish to pu-
 nish this atrocious act of lawless cruelty and perfidy.
 Douglas, the most faithful of his barons, the best
 supporter of his throne, the terrour of the
 English, was, in the present juncture of affairs, a-
 bove all law. After the first ebullition of the
 King's wrath had evaporated, Douglas's crime was
 pardoned, at the intercession of Robert Stewart ;
 and

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and he was installed in those honours and possessions of his murdered rival, the envy of which had prompted him to the guilty deed*.

Fall of
William
Bullock.

WILLIAM Bullock soon after fell by a similar fate. Whether his fidelity were reasonably suspected; or he had enemies who dreading his abilities and his influence, went about to accomplish his ruin by false accusations: Certain it is that he was denounced as a traitor, that the accusation found credit with David, and that Bullock was seized, carried a prisoner to the castle of Lochnendorp, and there shut up in a dungeon, and left to perish by hunger†.

Another
incursion
into Eng-
land.

A THIRD expedition into England, soon after followed. It was gallantly conducted by the King in person. By the English of the northern counties, he was opposed so vigorously, as to be prevented from penetrating far into the country, or committing any wide devastation. He returned home, however, without incurring any disgrace, and without suffering any loss of the numbers of his army. The next enterprize attempted by the Scots, was against the castle of Lochmaben. From
the

* Fordun. XIII. 50:—Major. L. V. C. 18, &c.

† Fordun. XIII. 50:—Winton, Book VIII.

the siege of this important fortress, they were compelled to retire, by the exertions of Selby the English governor of the castle, aided by succours expeditionally brought against the besiegers by Kirkby bishop of Carlisle, and Thomas de Lucy. Farther hostilities between the two nations were for a short time suspended, by a truce which had been agreed to, between the Kings of France and England, and which was framed to comprehend all the allies of both*.

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1342.
Unsuccessful
siege of
Loehma-
ben-castle.

DURING the period of truce which followed, some negotiations were entered into between the King of England, and William Douglas, whose faith to his country and his sovereign, had hitherto stood unshaken amidst every trial. Douglas had, by the inhuman murder of Ramsay, probably lost that confidence and esteem of his King and country which his former achievements had merited. Conscious of a crime so atrocious and so ungenerous, he was perhaps ill at peace with himself. A man in this situation was fitted to become a traitor. And yet, it is not certain that Douglas, although suspected by his fellow-countrymen, although tempted by the seductions of the English, ever consented to any proposals from Edward. We shall see

* Fordun. XIII. 49:—Froissard. L. 1:—Walsingham, 160, 161.

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see him again fight and suffer in the cause of Scotland and of Bruce*.

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Present
condition
of Edward
Balliol.

EDWARD Balliol had now long ceased to be eminently conspicuous in the conduct of these wars.

Brought into Scotland at first by men who rather regarded him as a fit tool for their private purposes, than acted with any concern for the rights and interests of his family; he had been forsaken by those men, as soon as they found that the King of England could, alone, support them in the prosecution of their claims. Not only had he none among the subjects of Bruce, who were now spontaneously disposed to favour his pretensions; but his very name was universally abhorred, because his interests were considered to be incompatible with the independence of his country. Compelled by the necessities of his situation, to have recourse from the very first, to the support of the English monarch, and to accept it upon conditions extremely humiliating; he had quickly ceased to have any authority in concerting those measures, or directing those expeditions which were said to be employed to win for him a kingdom, and to establish him in the possession of it. His personal character, although not despicable, was not qualified, like that of Wallace, or of Robert Bruce, "to bid help and hinderance vanish before

* Fœdera V. 379.

before him," to triumph over every difficulty, to brave every danger, to grasp the prize at which he aimed, in spite of all the opposition of men, and all the malice of fortune. In consequence of all these circumstances of his character and fate, Balliol was no longer more than an inconsiderable private person, humbly dependent even for his personal maintenance upon the King of England's bounty. Edward had long since, first lent him the sum of two hundred pounds, and afterwards granted him a daily pension of thirty shillings in time of peace,—of fifty during war; to be paid during the good pleasure of the donor. Balliol held, at this time, some subordinate authority in the North of England; but was no longer in a condition to make himself in any degree formidable by his own resources, or to exalt himself in competition with David Bruce*.

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IN the mean time, the genius, and ripening experience of Edward the Third, had begun to gain an ascendancy in his wars on the continent, over the meaner talents of the King of France. The truce expired; and hostilities were fiercely renewed. Before the term of its expiration, the Scots had already begun to make ravaging inroads upon the

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English

* Fordun. *Fœdera*, V. 62. 85. 108, 109. 131. The sums of thirty shillings a day in time of peace, and of fifty shillings a day, during war, were afterwards enlarged respectively to forty shillings, and sixty shillings, 186.

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English borders. No sooner was the war avowedly recommenced, than David Bruce summoned all the military tenants of his Crown to meet him in arms at Perth; and there made a general muster preparatory to a grand invasion in which he had hopes of conquering the northern provinces of England, so as to annex them for ever to the dominions of the Scottish Crown. So tumultuous an assembly of barbarous clans, could not come together, without much disorder, and many fierce contentions. Among other barons, who resorted to David at Perth, were two powerful chieftains of the Highland Clans, William Earl of Ross, and Raynald of the Isles. There probably existed between them, at this time, some private feud; for while they lay with their followers at the monastery of Elcho, the Earl of Ross sent assassins who murdered Raynald with seven of his attendants by night; and early on the morrow, Ross withdrawing his troops from Perth, hastily retired to the mountains, to escape the just punishment of the crime which he had perpetrated*.

David invades Northumberland.

BUT, the crime of Ross, and his rebellious departure with his troops, were not to frustrate the design with which David had assembled his barons and their followers at Perth. With a numerous, but for the greater part, an irregular and imperfectly equipped army, the King ardently proceeded southward

* Fordun. L. XIV. C. 1 :—Winton. Book VIII.

fouthward upon the invasion. which he meditated. SECT. I.
CHAP. IV.
 Advancing by the middle marches, he made his 
 first attempt against the English by the siege of A. D.
1346.
 Liddel-castle, on the very confine between the two
 kingdoms; which was held by Walter Selby, a
 man notoriously guilty of those practices of robbery
 and ravage, as well in times of truce, as during
 war, and committed almost indifferently on the
 Scots and on the English, for which his border-
 situation gave him opportunity. The castle was
 taken by storm; and Selby being deemed unwor-
 thy of that mercy by which the laws of war usual-
 ly spare the lives of the vanquished; was himself
 beheaded; while his fortress was razed to the foun-
 dation. Even here, however, and after this first
 success, Douglas, upon news that the English were
 not unprepared to meet and repulse the invasion;
 counselled his sovereign to relinquish this enter-
 prize, and return with all his forces homeward.
 But, the French Allies of David, expected him to
 make such a powerful diversion in Britain, as might
 perplex, weaken, and disconcert the English King
 amid his military operations on the continent:
 David himself, in the gallant ardour of youth, could
 not endure the idea of retiring for fear of enemies
 who had not yet approached to oppose him:
 Douglas no longer enjoyed that unbounded confi-
 dence of his King and his fellow-subjects, to which,
 before the murder of Ramsay, his services had
 well

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well entitled him : To suspect him of cowardice, was indeed impossible ; but against the imputations of treachery, and of unpatriotic selfishness, he could not be equally secure. Besides, the whole army having their imaginations filled more with the thoughts of the spoils which they hoped to gain in England, than with the anticipation of any dangers to be there encountered, would have been beyond measure disappointed and enraged by any sudden order to retreat. They were led onwards into the interior parts of Northumberland. Being mustered at the abbey of Hexham ; their numbers were found to amount to no fewer than two thousand men in complete armour, with a multitude of irregular and light-armed infantry*.

First at-
tempts de-
feated.

THE English, in the mean time, had made due preparations to resist so formidable an invasion. Edward was himself in France, now pursuing his claims to the French Crown, with somewhat better success than had attended his first attempts. But, his queen Philippa, having the principal charge of the English government in the absence of her lord ; with great activity mustered the military vassals of the Crown, who resided in the northern counties ; intrusted the command of the

2

force

* Fordun. Lib. XIV. 1. 2 :—Froissard L. 1 :—Winton. VIII :—Walsingham, 167.

force thus raised, to the archbishop of York, and to Piercy, and Neville, two of the most considerable barons in those parts; and herself, as is said, joining the army, communicated to the leaders and foldiers, the inspiration of all that heroism with which she was animated. While the Scots, crossing the Tyne, urged their way into the bishoprick of Durham; the English marched towards Sunderland bridge, in order to stop their progress. Ere the Scots were aware that an English army was so near, to oppose them; a foraging party headed by William Douglas, unexpectedly fell in with the whole English force, and after a desperate conflict, lost five hundred of their number who were slain,—with William Douglas, bastard-brother of the knight of Liddesdale, and others, who were taken prisoners. The survivors with difficulty escaped to the Scottish camp; and to the confusion of their King and fellow-foldiers, communicated the first tidings, at once of their own disaster, and of the numbers and prowess of the English. At the news, the Scots indignantly prepared for battle: Their King himself assuming the command of the central column of his army; while the Earl of Moray and the Knight of Liddesdale led the right wing; Robert Stewart and the Earl of March, the left. Flushed with their first success, the English advanced to meet the invaders at Neville's cross. And in opposition to them, the Scottish army was quickly drawn out
on

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SECT. 1.
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on ground which was unluckily intersected with
ditches and inclosures*.

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1346.

David
made pri-
soner.

WHEN the two armies were ready to join in battle, John Graham a Scottish knight, gallantly proposed to his King, that with only an hundred full-armed men, if so many would follow him upon the hardy enterprize, he would disperse the whole English bowmen, whose attack was the first formidable opposition the Scots had to encounter, in joining battle. Not a man in all the army, thought the proposal sufficiently practicable, or so moderately dangerous, as to be induced to follow the gallant Graham. Alone, and unattended, he boldly rushed forward amid the thickest of the English archers, before they could stun or wound him with their arrows; and then riding furiously about among them, and wielding his weapons with terrible dexterity and force, laid many dead or wounded upon the earth; till at last their arrows which could not pierce his armour, mortally wounded his more defenceless horse; so that he with difficulty, made his way back, on foot, into the ranks from which he had so heroically advanced. Ere Graham had rejoined his friends, the English had assailed the left wing of the Scottish army, which came on, under the command of the Earl of Moray. Attack-
ed,

* Fordun. XIII. 2, 3.

ed, not attacking; on ground which its divided SECT. I.
and unequal surface made disadvantageous; and CHAP. IV.
not yet entirely recovered from the surprize and A. D.
confusion with which they had been struck by the 1346.
recent defeat of their skirmishing party: the Scots
did not skilfully or steadily resist the impetuosity of
the assault by the English. Moray was slain;
Douglas made prisoner; the entire right wing
of the Scottish army which these warriors led,
was soon thrown into disorder, driven from its
ground, scattered in general flight. The center
of the Scottish army was next to meet the career
of the English. On the flank, it was galled by the
archers; in front, it was fore pressed by the impe-
tuous onset of the men at arms. Yet for several
hours, the fortune of the battle hung in suspense:
David himself fought with all the gallantry of a
brave young monarch, whose life and honour were
at stake: His barons vied with their King in va-
lour, with one another, in faithful loyalty. They
fought in vain. After a long contest and prodigi-
ous slaughter, David himself was made prisoner by
an English knight of the name of Copland; whom
even while he seized him, the Scottish King wound-
ed severely in the face; striking out two of Cop-
land's teeth with his iron gauntlet. Seeing the
right wing thus broken and scattered, the central
column almost wholly cut in pieces, their King
taken prisoner; Stewart and March, who yet re-
mained,

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mained, with the left wing, endeavoured only to effect their retreat with as little loss as possible.

Had they sooner advanced to support the main army fighting under the King, the fortune of the day might perhaps have inclined to the Scottish side. With difficulty, and with no inconsiderable loss, they accomplished their retreat; but the English were now too much occupied in spoiling the slain, and securing their prisoners, to urge the pursuit with eager activity*.

Consequences
of the battle of Durham.

GREAT was the loss sustained by the Scots in this unfortunate battle of Durham. The Earls of Moray and Strathern, Hay Constable, Keith Marshal, Peebles Chamberlain, and Charteris Chancellor of Scotland, with many barons of eminence, and a multitude of meaner soldiers, fell in the engagement. The King himself, with the Earls of Fife, Menteith, and Wigton, the Knight of Liddesdale, and about fifty other barons were made prisoners. The barriers of Scotland, were laid open to the English, who eagerly hastened to occupy the southern districts of the kingdom, and again to extend the limits of England to where they had been fixed by the treaty between Edward and Balliol. Balliol who had lately resided for some time upon his patrimonial estates in Galloway, at his castles of

* Fordun. Froissard, Walsingham, ut supra, &c.

of Buittle and Kenmore; being now joined by those two eminent Northumbrian barons, Piercy and Neville; made a sudden expedition into Lothian, to aid the progress of the English in that quarter; and then crossing the country to the district of Renfrew, returned back through Ayrshire into Galloway. In his progress, he laid waste, rather than subdued the country; massacring the peasantry, and destroying the crops, houses, and cattle upon the estates of those enemies whose opposition to his tyranny, had the most provoked his revenge; but neither winning the castles, nor establishing his own authority over the country. To the eastern and to the western sea, however, on the one side, nearly as far as Ayr, on the other, to the vale of Lothian, the English, almost without opposition, extended the authority of their jurisdiction, and the terrour of their arms*.

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* Fordun. XIV. 3:—Buchan. L. IX:—Winton. B. VIII.

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A. D.
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CHAPTER V.

*From the battle of DURHAM, to the death of DAVID
the Second.*

Prospects
of the
English.

THE unfortunate event of the battle of Durham, and its immediate consequences, might seem at first to threaten the total overthrow of the liberties of Scotland, and the final expulsion of the family of Bruce from the Scottish throne. If with a force comparatively small, and in the absence of their King, with the flower of their warriors; the English could so successfully prevail over the collected military strength of the whole Scottish nation: Would not Edward in person as soon as he should return from the French war, with his brave son, the Prince of Wales, be easily able, at last to achieve the final conquest of all Scotland?

Resources
of the
Scots.

BUT, misfortunes, such as that of the battle of Durham, were no longer new to the Scots; nor did example represent them as irretrievable. Former disasters of a similar nature, and no less calamitous, had still left Scotland free. To provide for the administration of the government, during the captivity of their King, the Scottish barons immediately appointed his nephew Robert Stewart to the

the Regency of the kingdom. In the shire of Wighton and in Carrick, Alan Stewart and John Kennedy still remained in their allegiance to David Bruce, and so harassed the Galwegian vassals and adherents of Balliol, as to restrain these from lending any considerable aid to the English arms in other quarters. William the son of Archibald Douglas, formerly Regent, returning about this time out of France in which he had spent his earlier years, and made his first essays in arms; began to distinguish himself by eminent proofs of that valour and patriotic activity which had already conferred the most illustrious splendour on the name of Douglas; quickly expelled the English from Douglassdale; made himself master of Ettrick-forest; and defeating Copland governor of Roxburgh, who strove to defend Teviotdale against his incursions; rescued this district likewise, from the possession of the invaders. Successes so considerable revived the courage and loyalty of the Scots; and the young heir to the earldom of Douglas, appeared not unworthy to supply to his country all those gallant offices which might have been expected from the Knight of Liddesdale, had he not been absent in captivity*.

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1346.

In the mean time, the King of England was prosecuting abroad his wars against France, with rising

* Fordun. XIV. 6, &c.

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1346.

English af-
fairs on
the conti-
nent.

Battle of
Crecy.

ing success. From Guienne, the first object of his expeditions, he had more lately been induced to transfer his invasion rather against Normandy. The change was so fortunate, that he soon overran the whole province ; took Caen, its most opulent town ; and spread general alarm and dismay to the very gates of Paris. Philip, the French King, assembling an army of more than an hundred thousand men, advanced at their head to give battle to the far inferior force of the invaders : And had it not been for a very adventurous passage at a ford of the river Somme, when the French had nearly encompassed and hemmed him in within difficulties from which escape would have been impracticable ; Edward and his whole army must have become the captives of their enemies, or have perished, all, in desperate, unavailing fight. Having, however, thus broken through the toils in which they had been nearly caught, the English immediately chose a favourable position on a gentle ascent in the fields of Crecy ; awaited the attack of the French ; and by the superiority of discipline, heroic valour, and masterly generalship over imprudence, disorder, and folly vainly anticipating in imagination what it could not achieve ; obtained, after a long and obstinate conflict, one of the most decisive victories that have ever been won, over more than three times their own number of Frenchmen. Thus greatly victorious, the
English

English monarch, next proceeded to lay siege to the strong sea-port-town of Calais. For near twelve months, the townsmen and the garrison held bravely out against all his assaults. At last, however, their numbers were so greatly thinned, and they were so sorely pinched by famine; that the place was necessarily surrendered to the besiegers, in whose hands it became an important key by which they might at any time make an hostile entrance into the territories of France. In Guienne, similar successes now also crowned the English arms. Such a series of disasters, at the same time while the arms of their Scottish allies were in Britain alike unfortunate, made the French eagerly accept a truce, which was mediated by the Pope's legates between them and their too potent foes. The Scots, as allies of France, were comprehended in the treaty of truce*.

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1346.

It was amid the career of his perils and victories in France, that Edward received the news of the defeat of the Scots at Durham, and of the captivity of David Bruce and many of his nobles. The royal captive and his companions were carefully guarded, but not unkindly treated. Only, the Earls of Fife and Menteith who had formerly sworn allegiance to Edward, were now regarded

not

* Froissard Lib. I. &c.

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1346.
Negotiations for
peace.

not as captive enemies, but as traitors; were brought to trial, condemned to death, and the Earl of Menteith beheaded. During the truce, the Scottish queen, sister to Edward, was permitted to visit her husband in his confinement; and negotiations for the ransoming of the captive King were commenced. A pestilence which spread from the torrid climates of Asia over all Europe; cutting off about a third part of the inhabitants of Scotland and England; thus tended perhaps to alleviate the mutually exasperated and inveterate rage of the two nations; disposing them to continue in the peaceable observance of the truce, and even to seek means of conciliating one another's affections in a perpetual peace. The death of the King of France calling Edward's ambitious cares once more to the continent; made him willing in the mean time, so to settle the affairs of Scotland, that the Scots might not be provoked again to invade and harass England in his intended absence. Jane, his sister too, might have some influence with her brother and his sons, so as to persuade them rather to grant easy terms of peace and liberty to her lord, than to detain him in perpetual confinement, or to harass his kingdom to utter ruin. Nor is it improbable that Edward, the wisest and most politic monarch of the age, might now discern the impossibility of finally subjugating the Scots; and might therefore be desirous to have those

those for friends, rather than enemies; whom he could never reduce to be his slaves. However these things might be; the Scots were soon led to hope, in the progress of their negotiations for the deliverance of their King; that they might obtain a peace on conditions by which the pretensions of Balliol, should be wholly relinquished on the part of England, and David Bruce restored to reign without a rival on the throne of his fathers*.

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1348.

YET, ere this negotiation could be perfected, new transactions were engaged in, and new events took place, on the continent, as well as in Britain, which had a tendency to influence the political relations between the Scots and the English. The French war, renewed with John the son of Philip, did not at first promise an happy issue to the English; but at length in the famous battle of Poitiers, made the French King a prisoner to the prince of Wales, and brought him to meet David Bruce in captivity at London. In Scotland, all those disorders reigned, which might be naturally expected to arise in a fierce, lawless, and barbarous age, in an uncivilized country, and at a period when the royal authority could not be vigorously maintained, and when almost every man enjoyed an untroubled licence of doing what seemed good in his own

Progress
of Scottish
and Eng-
lish affairs.

* Fœdera T. V. 618, &c.

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CHAP. V.

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1349.

own eyes. David Bruce, in his impatience to be restored to his own country, began to discover something of a disposition to yield to the English all that they had exacted from Balliol: Balliol ceasing to be necessary or useful to promote the designs of the English King, was slighted and neglected by him, and was at length persuaded to resign into Edward's hands, all his pretensions to the sovereignty of Scotland. The captive Knight of Liddesdale, was entangled in a new and equivocal treaty with the English monarch, in which, for the recovery of his liberty, he was induced to devote himself so wholly to the service of England, that all his former deservings from his country, might well appear to be cancelled by the fickle treachery of this last act. At home, Stewart and the barons who were about him, strove now to strengthen themselves in the government, probably not more against the English, than against their own King, and the barons who were absent in captivity with him. However indifferent *they* might be as to *the* deliverance of their monarch; yet the wishes of the *nation* could not be long withstood. A treaty for the ransom of David Bruce, was at last concluded at Newcastle, on the thirteenth day of July, in the year one thousand three hundred and fifty-four. The ransom fixed, was ninety thousand merks Sterling, to be paid within nine years, in the proportion of ten thousand merks for each

2

year

year. Until the final payment of this whole sum, it was agreed that there should be peace between Scotland and England; comprehending in its advantages, all the Allies of the latter country. Twenty young Scottish noblemen were to be delivered into the hands of the English, as securities for the payment of the ransom, and the observance of the truce; and for both, all that was honourable and important among the nobles, the clergy, and the commons of Scotland, were to become bound, in conjunction with their King. But, the intrigues of France prevented this treaty from taking effect*.

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CHAP. V.

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1350.

BEFORE David Bruce could obtain liberation from his captivity, the knight of Liddesdale had been released, and had returned home. During his absence, however, still retaining that ferocious and savage spirit which so cruelly cut off the gallant Ramsay; he had, in revenge for the murder of his brother Sir John Douglas, procured the assassination of Sir David Berkley, by whom that murder had been perpetrated. This new assassination committed at Douglas's command, even while he was himself a captive in a foreign kingdom, greatly contributed to alienate from him with still rising abhorrence, the minds of his countrymen at home, by whom he had been once admired as a

Liberation
of William
Douglas.

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patriot

* Fœdera V. 686. 699. 700. 711. 722. 727. 727. 793, &c.

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1352.

patriot and a hero. He came now to be regarded as a monster capable of every odious crime, of perfidy to his country, and of those atrocious acts of guilt in private life, which changed the generous and gallant knight into a fiend, the enemy of the human kind. There had, besides, arisen, during his captivity, new political parties in Scotland who were unwilling to admit the knight of Liddesdale, whose abilities they dreaded, of whose faith they were now suspicious,—to that pre-eminent influence in the government which he had before enjoyed ; and concerning which it was not likely that he would sit quietly down, without grasping at it once more. Revenge, abhorrence, fear, and political craft thus conspired the destruction of William Douglas, as soon as he returned from captivity. Nor had he been long at home, when as he was hunting in the forest of Ettrick, his kinsman and godson, William the heir to the earldom of Douglas, waylaid and cut him off, by an act of perfidy not unlike to those by which his own character had been too often stained. He was a brave warrior, whose character, fierce, intrepid, ambitious, fickle, vengeful, may be esteemed a striking example of the manners and spirit generally prevalent in the age in which he lived. While force was every thing, while law was nothing, when education and the arts of peace did not conspire to mitigate the passions, and to polish the character ; it was impossible

impossible, that there should not be in society, many such men as the knight of Liddefdale*.

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1354.

The negotiations for David's deliverance broken off.

ABOUT the same period, David should have arrived once more in his kingdom and native country. His subjects had undertaken to pay for his liberty, a ransom which, in the ravaged state of their country, could not but be enormously burthensome; and his barons had engaged to stake for its payment, the dearest pledges they had to give. But the treaty was for a while frustrated: Nor would David have been now received with the same fond congratulations as had formerly awaited him at his return from France. His Queen was barren; and Robert Stewart, his nephew, but elder than he, having begun to look forward to the inheritance of the Crown, was impressed with suspicions that David might perhaps be won to lend himself to English intrigue, in a manner injurious to the hopes and interests of Stewart. Between England and France, the war was still prolonged; and the French King now sent an ambassador into Scotland with a small body of soldiers, and a considerable sum of money, for the purpose of instigating the Scots once more to take arms against the English, and to aid them in their military enterprises. The friendship and the money of France,

* Fædera V. 738:—Fordun. XIV. 8, &c.

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CHAP. V.

A. D.
1355.

France, had greater weight with the Scottish barons, than the sanctity of the truce, to which they had agreed, the care of delivering their King, or any advantages which might be derived from lasting amity with England. They were eager to take up arms; and David, whatever his wishes for liberty, could not, while absent, resist the general impulse*.

Successful
reencoun-
ter with
the Eng-
lish at
Melbit.

WAR was therefore renewed. Galloway and Nithsdale were recovered out of the hands of the English. In the southern parts alone, of Scotland; did they retain any of those lands and castles which had been ceded to them by Balliol, or taken by their arms. The first expedition undertaken in violation of the truce, and at the instigation of Garencieres, the ambassador of France, was led by William the successor of Alexander Ramsay, in obedience to the commands of the earl of March, the warden of the eastern border, against Norham in Northumberland, to destroy that place, and depopulate the adjacent territory. Ramsay burnt the village, and laid waste the country. But perceiving that, agreeably to their hopes, Thomas Grey, governor of Norham-castle, sallied out at the head of his garrison, to attack and chase away the spoilers; the Scots, in seeming terror, speedily fled. Not aware of any stratagem in the design of their flight, the English furiously pursued.

* Fordun. XIV. 9.

pursued. At Nesbit in the Merse, the Scots having
 now led the pursuers into a destined snare, turned
 and met their attack : For March and Garencieres
 were here with a troop to support the company of
 Ramfay. The English, although thus ensnared and
 surprized, yet scorned to flee ; a desperate conflict
 followed. Grey making his horsemen dismount,
 led them to fight on foot, where their horses would
 have been useless. On both sides, illustrious va-
 lour was displayed ; blood was prodigally spilt ; a
 number of warriors fell ; and among others, on
 the side of the Scots, Sir John Haliburton who had
 often distinguished himself by inveterate animosity,
 and bold valour against the English. Grey him-
 self, with others of his followers, were at last taken
 prisoners. Of his company, but few made their
 escape. The prisoners were honourably treated ;
 for the Scots could not help admiring that valour
 which, in such circumstances, they had found it so
 hard to conquer*.

Scot. I.
 Chap. V.
 A. D.
 1355.

Hostilities being thus renewed, with a de-
 gree of success which naturally encouraged farther
 hopes ; the Scots with indefatigable activity pur-
 sued this first blow which they had struck. Ber-
 wick was the next object of their attempts. Stew-
 art earl of Angus, assembling a fleet of small ves-
 sels,

Capture
 of Ber-
 wick by
 the Scots.

* Fordun. XIV. 9 :—*Scala Chronica* apud Leland, I. 456.

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CHAP. V.

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1355.

fels, manned them with a considerable number of troops, and in concert with the earl of March, sailing unexpectedly by night into the harbour of Berwick, landed unperceived, and rested till day-break before the walls of the town. By the dawn of day, they had fixed their scaling-ladders; ascending the walls, had mastered the opposition of the watchmen; and ere these could spread the alarm, had entered the town in considerable force. The English who were in the town then took refuge in the castle; and the Scots remained masters of the place. No sooner was this event known among the English inhabitants of the surrounding district, than they sought assistance from John Copland who commanded for their King, on the eastern marches; and came with him to reinforce the garrison in the castle, in hopes of yet recovering Berwick. A fort called Douglas-tower afforded yet a free communication between the castle and the town. From it, Copland attempted to break out and overpower the Scots. They were prepared to resist his folly, repulsed him with vigour, and even won the tower, but in vain attempted to make themselves masters of the castle. After this service, the French auxiliaries who had eminently assisted in the capture of Berwick, being honourably dismissed, left Scotland, and returned to France*.

BUT,

* Fordun. XIV. 10.

BUT, King Edward was now in England; and he thought the progress of the Scots too formidable, not to be immediately checked by himself in person. Ere the Scots could sufficiently strengthen the fortifications of the town of Berwick, he appeared before its walls. Unable to make effectual resistance, those within the town quickly agreed to a capitulation, by which they were allowed to depart in safety with all their goods. From Berwick, Edward advanced to Roxburgh, where he received Balliol's surrender of all his rights and pretensions to the sovereignty of Scotland. Vain hopes of the general submission of the Scottish barons, detained the invader for some days longer of fruitless delay at Roxburgh. When he advanced onward with his forces into East Lothian, he found the country wasted before him, and destitute of every thing that could serve for sustenance to his troops. A fleet with stores and provisions had coasted along by sea, in attendance upon his army marching on land. But, a storm arising, scattered and wrecked his ships. His army began to suffer all the miseries of famine: The Scots prudently avoided encountering him in any pitched battle, yet continually harassed his troops by coming upon them in skirmishing, flying parties: Infuriated by disappointment and perplexing distress, he commanded to raze the country to utter desolation, without sparing even those edifices which were sacred

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1356.
Edward
the Third
again in-
vades
Scotland.

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CHAP. V.A. D.
1256.

cred to the purposes of religion : And after this impotent expression of his rage, was compelled to turn his march backwards to England. While the English army retreated, Lord Douglas attacking some part of them suddenly in Ettrick-forest, made great slaughter among these spoilers, and turned their retreat, for a time, into all the disorder of fearful flight. One of Edward's last acts relative to Scotland, as he returned from this invasion, was, the emission of a proclamation by which he declared his resolution to maintain, inviolate, all the ancient laws and usages of that kingdom : A declaration by which he might hope either to conciliate the good-will of that part of the Scottish nation who were faithfully attached to the liberties of their country, although little concerned as to the pretensions of Bruce or of Balliol ; or might mean merely to soothe his own mortified feelings, and to hide, for as much as was possible, the disgrace of his arms from his subjects in England, and from his enemies abroad.

English affairs on the continent.

EDWARD's attention was again withdrawn to the more glorious field which France presented for his ambition. Again desirous to leave England quiet at its northern confine, he professed a willingness to renew the interrupted negotiations for

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to

* Winton. Book VIII :—Fordun, ut supra ; Fædera Vol. V.

the deliverance of the Scottish monarch, and the dereliction of all the claims of the English Crown to the supreme dominion over Scotland. A truce was concluded : And the negotiations were renewed. Meanwhile, the English were pursuing their conquests in France with heroic valour, with great military skill, often rashly, and often through the most threatening dangers: Of the Scottish warriors; Lord Douglas and some others impatient of the inactivity of the truce which for a time; withheld them from military enterprizes at home; went abroad to oppose the English in France; and fought in the battle of Poitiers, with an unavailing heroism which could not prevent the triumph of the English, nor the ruin of the greatest army with which the French monarchy could at that time oppose the invaders: It was after this battle that the English King saw himself master at once of the persons of the two Kings of Scotland and France. The negotiations for the liberation of the Scottish monarch still proceeded; and at last were happily closed; notwithstanding the intervention of some casual and petty hostilities on the part of the Scots, which were overlooked, or but slightly resented by Edward. It might have been expected that Edward seeing himself now triumphant over all his enemies, and exalted to a pitch of glory above what any former English monarch of his family, had obtained; should have resumed the idea

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of

SECT. I.
CHAP. V.A. D.
1357.Liberation
of David
Bruce.

of conquering Scotland, and should have attempted to over-run it by another expedition. But, age and the vicissitudes of a fortune which although often prosperous, had been likewise often adverse; seem to have before this period mellowed his ambition. His knowledge of the temper of the Scots, made him hopeless of subduing them: Or affection for his sister, and the ascendancy which he had acquired over the mind of David, made him at once unwilling to ruin the fortunes of his brother-in-law, and hopeful of accomplishing his purposes by gentler and more politic means. The negotiations for the deliverance of David, restored him to his country, in the month of October in the year one thousand three hundred and fifty-seven. But, the conditions now exacted from the Scots were more severe than those which had been stipulated in the former treaty. A ransom of an hundred thousand merks was required for the liberation of their King, and was to be paid in instalments of ten thousand merks a year. Hostages were delivered into the hands of the English as securities for the faithful payment of the stipulated ransom; and the Scottish Parliament gave their sanction to the treaty by which those conditions were mutually agreed to*.

DAVID

* Fordun. XIV. 13 :—Winton. Book VIII :—Knyghton 2611, &c :—Fœdera, V. 46.

DAVID was now releas'd from imprisonment. But, his heart was alienated from the manners and modes of life, which prevailed in his native land : His subjects now little accustomed to see him fight at their head, as his father had done, had in a great measure transferred their attachment from him to Stewart and the other barons by whom his power was administered in his absence. He had not long lived at freedom in his own kingdom, when he sought Edward's permission to revisit England ; and spent again in the pleasures which that country afforded, nearly a year, which might have been more wisely and usefully employed in redressing the grievances of his people, and re-establishing the authority of his government*.

SECT. I.
CHAP. V.

A. D.
1357.
David returns home but soon revisits England.

THE Scots began, in the mean time, to feel the ransom which they had stipulated to pay for the liberty of their King, as if it had been the weight of a millstone tied about their necks. They would have refused the payment of it, and would have indignantly violated the truce ; but their hostages were in the hands of the English. Even that freedom from being farther harassed by the pretensions of Balliol which this truce seemed at last to secure to them, was but uncertain and suspected ; since they began to look upon David Bruce as almost as much English

The Scots desirous to renew the war with England.

* Fœdera VI. 39. 46 : VI. 68. 89.

SECT. I.
CHAP. V.

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1359.

lish in his heart, as the Balliols had been. There was a party, at the head of which were Stewart and Douglas, who were still attached to the interests of France, in preference to those of England, and with whom a great majority of the nation were inclined to take part. In those difficulties therefore which arose from the inability of the Scots to make speedy payment of the ransom of their King; they had recourse to the friendship of France for aid. The war between France and England, was still prolonged: And the Scots eagerly offered to renew on their part, the war with England, if the French nation would first supply them with money for the payment of their King's ransom, and the recovery of their hostages. But, the King of France was himself still a prisoner in England; and his son, the Dauphin, with the nobles who aided him in the administration of the government, during his father's unfortunate absence; made answer that they could not, at this season, conveniently supply so large a sum as was asked; gently blamed their ancient Allies for neglecting to include France in their truce with England; and contented themselves with encouraging the Scots by general promises of subsidy and aid to be granted them, as circumstances might allow, if they would break through all their engagements with England. Both the French and the Scots, however, were cordially inclined to embrace the

I proposals

propofals mutually made between them, fo far SECT. I.
CHAP. V. as their refpective interefts would permit. The French agreed to pay fifty thoufand merks fterling for the difcharge of the ranfom of David Bruce : A. D.
1360. The Scots accepting this fubfidy, engaged to renew hoftilities againft England.—A peace was, however, not long after concluded between France and England, by the conditions of which the French monarch abandoned all alliance with the Scots ; while the Englifh King, in return, renounced his connexions with the inhabitants of Flanders*.

THESE tranfactions ferved to indicate, what a Weaknefs
of David's
authorit y
at home. rancorous fpirit of hoftility againft England, ftill reigned among the Scots : and the difpofition which the Scots had fhewn to renew the war, might perhaps enable the French to procure more favourable conditions of peace from the Englifh, than would otherwife have been granted them : But no infraction of the truce with England followed. David Bruce had returned from his vifit of fond recollection to the land of his late captivity ; and now lived as a fovereign among his own fubjects ; little efteemed, indeed, or beloved by them, and without any ardent confidence in their kindnefs or loyalty. An incident of no great magnitude occurred to fhew the power and barbarous refentments of his

* Fordun. XIV. 21, &c.

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his nobility, and to convince them, that a King, powerful by the mere authority of his royal office, was but weak before them. Catherine Mortimer a favourite mistress of David's, whose amorous attachments were not exclusively confined to his queen; had accompanied him from England. In Scotland she continued to engross his affections, and almost to share his power. By the nobles of his Court, she was hated, as a stranger, an Englishwoman, an adulterous usurper of the bed of their Queen, and a rival who intercepted that favour with the monarch which some of his courtiers might have hoped to enjoy. Her murder was treacherously resolved upon. While the King was absent from the place of her residence, two ruffians were sent to her, as from him, and as they pretended, of purpose to conduct her to him. She believed their message, and committed herself to their guidance. On the dreary, solitary way between Melrose and Soltra, they perpetrated the murder which they had undertaken, and left her a lifeless corpse. David, soon informed of the murder of his beloved mistress, honourably interred her body in the chapel of the monastery of New-Battle. Stewart earl of Angus, suspected as having contrived the murder, and hired the assassins, was imprisoned in the castle of Dunbarton, where he, not long after, died of the plague*.

THE

* Fordup. XIV. 24 :—*Scala Chronica, apud Leland.* I. 978.

THE plague now again breaking out in Scotland, after so many calamities of war, famine, and a former pestilence; cut off no fewer than a third part of the surviving inhabitants, and among these, many persons of rank. Fleeing its fury, and at the same time, providing for the careful distribution of justice throughout the kingdom, David Bruce with the nobles attending in his Court, retired to the northern counties of Scotland. By some act of rebellion, perhaps by correspondence with his sovereign's enemies, perhaps by some sudden fall of passionate outrage against the royal authority, the earl of Marre having provoked the King's wrath, was besieged in his castle of Kildrummy, made prisoner, and sent in exile out of the kingdom. It was not long after these incidents, that David received from England the news of the death of Jane, his Queen, who had some time before, retired thither, probably in discontent with her husband, and had remained with her brother and other relations, till the term of her life, was now over. She brought David no children; but she appears to have been to him a dutiful and faithful wife. She became the play-mate even of his infancy: Of all his calamities she was the companion. Her barrenness, however, perhaps the homeliness of her form, or her beauty withered or grown familiar to him, might contribute to estrange him from her bed: And it is not likely that she would with patience endure those infidelities

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1361.

Death of
Queen
Jane.

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A. D.

1362.

David en-
deavours
to alter
the succeſ-
ſion to the
Crown.

infidelities of gallantry to which David's tempera-
ment and character appear to have inclined him*.

DAVID, childleſs, and perhaps hopeleſs now of
having children; jealous of his potent nephew,
Robert Stewart; and perhaps bound by ſome ſe-
cret engagements in which he might have been at
one time or another, entangled by the politic Ed-
ward; propoſed to his nobles in a Parliament,
which was aſſembled at Scone, not long after the
death of his Queen; that, in the event of his own
deceaſe without iſſue; they ſhould chuſe for his
ſucceſſor, the Duke of Clarence, or at leaſt another
of the ſons of Edward the Third. As a powerful
inducement to perſuade them to agree to this deſ-
tination of the Crown, he repreſented that Edward
would, in this caſe, renounce all his pretenſions to
the ſovereignty of Scotland, that Clarence would
be able to aſſert the independency of the nation,
and that happy peace and proſperity would be the
neceſſary reſults of ſo wiſe a meaſure†.

SUCH a propoſition was heard with ſcorn and
rage. Robert Stewart had been formerly acknow-
ledged to be, after David Bruce and his deſcen-
dents, the next heir to the Crown. His family,
his

* Walsingham, 179, &c.

† Fordun. XIV. 25.

his friends, his vassals were numerous and powerful. Strong also was that inveterate and rancorous hostility of sentiment which such long wars had naturally generated in the minds of the Scots, against the English. The Scottish barons in general abhorred every idea of submitting to the government of an English prince. They appealed to those acts of the Parliaments of Robert Bruce, by which the order of the succession, had been finally settled: They vowed that no Englishman should ever reign over them: They declared their respect for the abilities and virtues of Stewart and his sons, as not unworthy of a throne. Not content with obliging David to desist from his purpose, and still fearful of what the King supported by the strength of England, might accomplish against their national liberties; they entered into associations for the support of Stewart's rights, and for the maintenance and mutual protection of one another in the measures which they had concerted. Stewart particularly, associated himself by formal deeds, for this purpose, with the earls of March and Douglas, and even with his own sons. Thus combined, they were ready to set their King at defiance, however he might be aided by the power of England. They took up that lofty language in which the barons of those days were often accustomed to talk to their sovereigns; and spoke of forcing David Bruce publicly to disclaim the illegal proposition

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Opposition of Stewart and his party to the designs of David Bruce.

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which

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which he had made, or even of driving him from his dominions. From association, from threats, they proceeded to take up arms, seized the persons whom they supposed friendly to the King's designs, plundered their estates, and divided the spoils; as if they had been taken from a foreign enemy*.

David re-
presses the
rebellion
of his ne-
phew.

BUT, David had not yet so entirely forfeited the affection and allegiance of all his subjects, as to be altogether deserted by them, amidst his present difficulties. The wealth and the influence of England, were ready to be employed for his support, and for the accomplishment of those measures of policy in which he had engaged. Although his premature accession to the throne, and his estrangement by exile and captivity, from the manners of his native country, had hitherto prevented him from distinguishing himself as a monarch great in the arts of either war or peace, and had perhaps given his character a bias to indolence and other habits, inconsistent with exalted ability as a warrior or a statesman; yet, was he not destitute of personal courage, nor incapable of being roused to vigorous exertion upon extraordinary emergencies. To oppose Stewart and the rebellious barons, he now summoned all those of his subjects who still remained steadfast in their loyalty. They hastened, eager, to protect

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* Fordun. L. XIV. C. 25, 26, 27 :—J. Major. L. V. C. 23 :—H. Boeth. L. XV. sub fine, Fo. 340 :—Buchanan. L. IX :—Winton. B. VIII :—Lell. Res Gestæ, L. VII. p. 243.

protect their King. The money of England was not withheld; and was largely expended by David in the raising, equipment, and support of his troops. Within a very short time, the King saw himself at the head of an army so strong and so faithfully loyal, that Stewart and his adherents durst not meet him in the field. Disappointed in their hope perhaps of reducing their King to their own terms, without the necessity of striking a blow in direct war against him; and astonished to see so great a majority of the nation averse from their bold counsels; the insurgents began to be divided among themselves, to waver in their purpose, to hesitate between desperate daring and timid submission. Their numbers melted away; their union was dissolved; they at last sought, all, their safety in the mercy of their offended sovereign. David had sufficient wisdom to discern, that the part of mercy was the most prudent which he could in these circumstances act. If driven to despair, the insurgents might yet become more formidable than they now were. Nor could it be, in any case, for his interest to prosecute a civil war which might lay both himself and his opponents at the mercy of the English. Stewart and his accomplices obtained their pardon, on condition of renewing their oaths of allegiance, renouncing that association inconsistent with their duty to their sovereign, in which they had combined, and vowing never more

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to.

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to enter into any similar confederacies. Against Stewart himself, it was with his own consent denounced, that, if he should afterwards rise in any such rebellion, he should by that act forfeit all his rights to the succession to the Crown, should forfeit even his private estates and all the inheritance of his family, should be branded with indelible infamy, as a false and perjured traitor. And such was the end of a rising rebellion which had almost threatened to hurl David from his throne*.

David re-
visits Eng-
land.

SCOTLAND was no longer dear to David's heart. Here he had around him none but turbulent barons, whom, although neither gratitude nor policy would permit him to cut them off, yet he could not love, because he could not retain them within the bounds of a subject's duty. In England, he had spent in captivity those years of his opening manhood in which are usually formed habits whether of activity or of enjoyment, which are never to be shaken off, during future life. Although a captive, he had been treated with no harshness, except that alone which he could not but feel in restraint from returning home at pleasure. In his present situation, oppressed by the cares of actual royalty, and sick of the passions and disgusts which he had continually to encounter among the fierce and restless nobles of his Court; he often longed for

* Fordun. L. XIV. C. 25, 26, 27, &c.

for that quiet and indolent luxury which he had enjoyed, while a captive. Soon after humbling his aspiring nephew, and bringing him back to his duty, David repaired to England, and was gladly and honourably received at the Court of Edward. The kindness of the reception he met, and his own aversion to his nephew Stewart, soon disposed him to enter into new and secret negotiations with the English monarch; negotiations altogether unworthy of the son of Robert Bruce, of a King of Scotland, even of a man who had once afforded so much better hopes of his character, as David had done*.

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Of these negotiations the main purport was, that, in the event of the death of the King of the Scots without male issue; the King then reigning in England, should succeed on the Scottish throne; that if the Scottish nation would agree to this primary condition, then would the King of England, without delay, deliver up to the Scots all towns, territories, and castles, such as those of Roxburgh, Jedburgh, and Lochmaben, which, although now in the hands of the English, properly belonged to the dominions of the Scottish crown; that the remainder of the ransom due for the Scottish King should, upon the same fundamental condition, be held

Secret negotiations
with Eng-
land.

* Fœdera VI. 426, 427.

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held to be discharged without the exaction of farther payment, the hostages set at liberty, and the written obligations cancelled; that the King of England should, without disturbing the Scottish barons in the possession of their present estates, make satisfaction, himself, out of his own lands and treasures, to all such of his subjects and adherents, as had claims to estates in Scotland, which the Brucian party refused to admit,—to the earl of Athole, the Lords Beaumont, Piercy, Ferrars, and others; that the King of Scotland himself should also be put in immediate possession of almost all the lands which his ancestors, Kings of Scotland, had held in England, and should perform for them the homage which those ancestors had performed; that, succeeding to the immediate sovereignty of Scotland, the Kings of England should still govern the new dominions as a distinct kingdom, independent of England, and should assume the denomination of *Kings of Scotland and England*; that all the ancient laws of Scotland, the constitution and liberties of its church and state, its magistracies, civil and military dignities, and forms of administration, should, in this case, be still religiously maintained, inviolate, as they existed under its ancient kings; that no grants which might have been made by David or any of his successors, should be revoked by any English king succeeding to him in the government of Scotland; that Scots alone should be

be always employed in the offices of the Scottish government; that the dominions of Scotland should never be alienated by any English monarch; that the interests of merchants, barons, and ecclesiastics belonging to Scotland, should be as sacredly guarded from oppression or rapacious violation, as if no coalition with England had taken place; finally, that the advice of the English King's council, and the consent of the Scottish nation, should be required in order to the final ratification of this treaty*.

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THIS was the result of the negotiations which were, at this time, secretly carried on between the King of Scotland and the English monarch, while the former was, for a time, voluntarily resident at the latter's Court. It was but the scheme of a projected treaty, which circumstances rendered it then necessary to keep profoundly secret, and which was never to be finally ratified, or carried into execution. For Edward, fully aware of all the advantages which England would derive from an union with Scotland, it was natural still to pursue that favourite plan of policy which his forefathers and he himself had so long fondly cherished, and which, although for ever baffled in all their attempts to accomplish it, the Kings of England could not, however, be persuaded to relinquish. And whether it were weakness, timidity, or resentment that

Reflections on this negotiation.

led

* Fœdera VI. 426, 427.

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led David to engage in such a negotiation ; perhaps in the circumstances in which he and the nation over which he reigned, then stood, no other conduct could have been in its effects equally beneficial to them. It was necessary to temporize with Edward now at the height of his power, in order to prevent him from embroiling the affairs of Scotland by intrigues with subjects, and from again letting loose upon it, all the furies of invasion and war. Childless as David was, and beset by the potent family of the Stewarts eagerly grasping at the succession to the Crown ; it became necessary for him to conciliate to himself the favour of the English faction, and the friendship of England, in order to his protection and support against the turbulence of a great party of his own, and the ambition of the members of his own House. The ablest policy could not well have suggested different measures in the same circumstances : Yet, it might be narrowness, not enlargement and perspicacity of mind, that guided David.—Whatever the seeming utilities of the policy by which he was engaged in those negotiations ; it was, however, undeniably an act of treason against the Scottish nation, because its tendency was to overthrow the fundamental principles of the Constitution of their State. Hardly could the King and Parliament acting in unanimous concert, have been justified in sacrificing that national independence for which their fathers

fathers had so long fought and bled. A negotiation by the King alone for the purpose of surrendering this independence, was an act by which he might have been justly accounted to have forfeited his Crown, if the negotiation had become public. Was it not easy to see, that after availing themselves of any apparently extravagant concessions which they might be persuaded to grant, as a bait, a net, to bring the Scots within their power, and to fix them in servitude; the English monarchs would soon find pretences for violating their engagements, and for retracting whatever should appear to have been too prodigally yielded to their ancient foes? Fortunately for David, these negotiations were never revealed to his subjects in Scotland; and therefore served to assure him of the favour and support of Edward, but without irritating anew against him the Stewarts and the other Scottish barons.

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AFTER his return to Scotland, the secret treaty with England, was necessarily abandoned as being impossible to be carried into execution. David yet flattering himself with the hopes of offspring, was then induced to take in marriage, Margaret Logie, a young woman of singular beauty, the daughter of a knight named John Logie. But, the party of the Stewarts being adverse to this marriage, had ill offices done to them by the new Queen, in conse-

David
marries
Margaret
Logie.

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quence

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quence of which they were incited to employ some discreditable artifices for the purpose of producing a variance, to divide her from the King. Their artifices succeeded. She had not been above a year the wife of David, when such dissension began to arise between the royal pair, as threatened a dissolution of their mutual union. Yet, they continued to live on together for some years, till, at last David applied to his clergy for a divorce from this wife of his choice. The marriage had brought no children, to disappoint the expectation of the Stewarts, and inherit the Crown. It is therefore, probable, that in a country where at this time, state-necessity was held to be the supreme law, little less in ecclesiastical than in civil affairs; the divorce which David sought, might have been obtained from his clergy. But, Margaret carried her cause by appeal before the Papal Court of Avignon. The Pope appears to have declared in her favour; But the determination of the affair was protracted, till the death of David anticipated its judicial issue. The rupture, however, and the prosecution for the divorce, sufficiently answered the purposes of the Stewarts. Robert and his three sons were upon her

* Fordun. XIV. 28:—*Scala Chronica*, apud Leland. I. 579:—*Fœdera* VI:—Margaret, while abroad, had contracted considerable debts: And there exists in—*Fœdera* VI. 727.—a bond or obligation in which she acknowledges a debt of different sums, to certain citizens of London, and pledges all her lands and goods, for the payment of it.

her disgrace released from the confinement into which they had been, some time before thrown at her instigation*.

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A. D.
1364-9.

IN the mean time, no new wars had broken out between the Scots and the English. The French, whose affairs were no longer in a flourishing condition, could not offer to the Scots any rewards for the violation of their truce with England, which might be adequate to compensate the evils which renewed war would bring upon their country. David had ever since his captivity, been at heart more friendly to the English than to the French. His ransom was, as yet, far from being entirely paid; and the hostages which had been delivered in pledge for its payment, remained still in the hands of the English. David himself with his consort, once more visited England during this period. When the negotiations for the entail of the succession to the Scottish Crown upon the Kings of England, had failed; the regular payment of the different instalments of David's ransom, was then more pressingly demanded. New conditions of future payment were then settled; and the truce was renewed and prolonged.

IN the interior government of his kingdom, David seems to have been about this time tolerably happy. The great barons, indeed, even in the interior

David's
government in
the latter
years of
his reign.

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1371.

terior parts, still possessed and exercised a powerful and often uncontrollable jurisdiction : On the English marches, and towards the western and northern extremities of the country, all was too often lawless disorder, or licentious yet tyrannical misrule : But, the disorder was perhaps less than had existed at any former time since the death of Alexander the Third. His Parliaments frequently assembled at his summons ; and new laws were from time to time enacted, to meet the rising exigencies of private and public affairs. During these last years of his reign, the nation enjoyed a freedom from warfare, which was highly necessary to recruit its wasted strength, after so many and such long-continued wars, and these occasionally accompanied with famine, pestilence, and all the most terrible of those evils with which the wrath of heaven at times chastises erring mankind*.

Death and
character
of David.

DAVID at last died, in the castle of Edinburgh, on the twenty-second day of February, in the year one thousand three hundred and seventy-one, in the forty-seventh year of his age, the forty-second of his reign. He cannot be accounted to have been a great prince. But, the defects of his character, and the errors of his reign, are easily to be traced to the unhappy circumstances in which he was compelled to spend his youth, and even the prime of

* Fordun. XIV :—Fœdera :—Regiam Majestatem.,

of his maturer years. Born to royalty, he was taught from his childhood to consider himself as being, independently of any great exertions on his own part, the darling and pride of the Scottish nation, whom the companions and admirers of his father's heroism would support upon the throne, whatever the demerits of his own character, however perilous and trying the circumstances of the times. By the early death of his illustrious father, he was left to be from infancy in the hands, and under the tuition—of men, who were interested rather to make him their property which they might employ to their private advantage, than to give him such an education as should form him to true manliness and vigour of character. In France he probably received the same military institution in which the young French nobles of that age, were usually trained: But, it was in the security of peace, amid the luxuries which surround royalty, with the persuasion continually impressed upon his mind, that his subjects would recall him to the government of his kingdom, after they should have delivered it from his enemies, without being aided by any personal exertions of his own: Nor was this an age in which any important education could be obtained otherwise than by an early initiation into the actual practice of affairs; for the arts of institution and discipline were still so imperfectly known, and so negligently exercised, that the young

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1371.

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young prince or noble who was not even in his boyish years, led out upon the enterprizes of war, could scarcely ever be other than meanly clownish, and grossly profligate. Yet, at his return to Scotland, David displayed a military spirit which wanted nothing but experience in that peculiar warfare which was exercised between the Scots and the English, to have merited all the praise of his father's talents for war. In his civil administration, he discovered, at the same period, nothing of weakness or imprudence but what may be reasonably attributed to his ignorance of the state of parties, and to his inexperience in active government. It was his captivity that proved fatal to the expansion, the cultivation, and the full growth of those abilities for war and civil government, which might otherwise have perhaps signalized his reign. After feeling bitterly for some time at first, the ignominy and the fatal disadvantages attending his confinement; he then most probably turned himself to the solace of such pleasures as his situation could afford, and forgot the captive-monarch and the unfortunate warrior, in the enjoyments of love and wine. The artifices of English policy, and the jealousies with which he was taught to regard the administration of his nephew and other barons in Scotland; tended to warp his understanding, and to sour his temper, to impair at once his rectitude and his wisdom. That period of his life which he passed in

in captivity, was the period in which are usually formed and confirmed, those habits of life, and that cast of thinking which are not to be shaken off, but with the loss of life itself. After his return, he could no longer aspire to equal the glory of his father's achievements, or completely to restore the honours of his own reign. In the latter years of his life, he seems to have approved himself to be a good easy man; habitually indolent, and therefore submitting to be guided by others; yet not incapable of rousing himself to meet the difficulties of any extraordinary emergency, with vigour and wisdom in his designs, as with activity in his enterprises; having his soul perverted from that high and generous patriotism, which had been the ruling passion in his father's character; yet not so as to tyrannize over his subjects, or to seek the direct ruin of his country. But, his mind was, at no period in his life, capable of those grand and comprehensive views which embrace a vast system of policy, connect every purpose and event with its prosecution, and forego all other passions and interests for the sake of accomplishing it.

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CHAPTER VI.

ROBERT THE SECOND.

From the Accession to the death of Robert the Second.

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CHAP. VI.

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1371.

State of
the king-
dom in re-
spect to
foreign
political
connex-
ions.

TO David Bruce, succeeded his nephew Robert Stewart, the son of Walter Stewart and Marjory Bruce; to whom, next after David and his offspring, the regal succession had been secured by the settlements anxiously framed in the latter Parliaments of the reign of Robert Bruce. Mature in years, and well acquainted with the structure and the administration of the Scottish government; Robert Stewart might naturally be expected to rule the kingdom which he thus inherited, with wiser policy and higher authority than had ever been exercised by his ill-fortuned uncle. Many circumstances concurred to augur prosperity to his reign. Balliol had relinquished all his pretensions to the sovereignty of Scotland; even the English had, for a time, at least, abandoned the idea of subjugating the Scots by force of arms; the exiles whose claims, and whose indignant vengeance had been the sources of all the calamities which afflicted their country during the reign of David Bruce, had either perished in the war, or had ceased to urge their pretensions,

pretensions, or having joined the adherents to the cause which they once opposed, had their claims allowed, and their resentments now soothed. Robert was the father of a numerous family of sons, so that the nation, when they saw his house upon the throne, could fear no sudden evils from a failure of the royal line, and a contested succession to the Crown. There was now no rival family, which might dispute the rights of Stewart and his sons, and strive to disturb their reigns by adverse pretensions. Edward the Third of England was now old, and far less sanguine and ardent than he had been in his earlier years, in his projects of conquest and ambition: his heroic son, the Black Prince, was no more; and his grandson the heir-apparent to his Crown, was but a boy who, whensoever he might succeed his grandfather, must long be immature for the wise and vigorous discharge of the functions of government. The inveterate hostility between France and England, might at times languish because the strength of both parties, was then wearied out and exhausted, but could never be extinguished, and therefore served to preserve in the French a steady ally to the Scots, and to the English a potent and relentless foe. The truce which had subsisted between England and Scotland during the latter years of David's reign, had not yet expired; and ere it should be at an end, new expedients might be devised for prolonging the tran-

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quillity

SECT. I. quillity which it afforded, or for renewing the war
CHAP. VI. with some decisive advantages.

A. D.
1271.
Internal
state of the
kingdom.

NOR was the internal condition of the kingdom, to the sovereignty of which Robert Stewart now succeeded, less auspicious in its aspect with regard to the future fortune of the opening reign, than the state of its political relations to its neighbours. The nobles were all faithfully attached to the interests of their country, and to the rights of the family of Stewart. David, in those few peaceful years which closed his reign, had laboured not without success, to establish the authority of law and government over the rude clans in the northern and western Highlands, and in the Hebrudian Isles; and the cessation of the civil war between the partizans of Baliol and those of Bruce, had restored order in the middle and eastern districts of the kingdom; while the truce with England restrained the ravages on the southern border. The nation in general being weary of the miseries of anarchy and war, were perhaps more disposed than they had been at any former time, to cherish the blessings of tranquillity. None of the great barons, unless perhaps the already potent family of Douglas, was sufficiently powerful and eminent in the kingdom, to rival or condemn the authority of the monarch.

STEWART succeeding to the Scottish Crown, with these advantages, was solemnly inaugurated at
 Scone

Scone on the twenty-fifth day of March, in the year one thousand three hundred and seventy-one. SECT. I.
CHAP. VI.
A thronging concourse of the nobles and people A. D.
1371. attended, to do homage to the new King, and to assist in the joyful celebration of this august ceremony. Coronation of Robert the Second. William Douglas, the most powerful of the vassals of the Crown, seemed at first to see with jealousy and dislike, a man raised to be his sovereign, who had been but lately his fellow-vassal. But, the marriage of the grand-daughter of the new King to James Douglas, the eldest son of William, soon reconciled the Douglasses with full cordiality, to the royalty of the Stewarts*.

WITH England there was still peace. But, the death of David Bruce, and the easy succession of Robert Stewart upon the Scottish throne, seemed to frustrate all those hopes which the English King had founded upon his secret negotiations with David; and would therefore make him less careful to maintain the truce to the end of the whole period through which it was framed to extend. Robert's interests had long been in opposition to the views of the English; and all his partialities were, for this reason in favour of the alliance of France. It was impossible long to restrain the turbulent hatreds of the vulgar of the two nations, and the savage rapacity

* Fordun. XIV. 36 :—Buchan. L. IX :—Major. L. V. C. 23, &c.

SECT. I.
CHAP. VI.

A. D.
1371-80.

capacity of the border-tribes, within those strict limits of mutual forbearance which the faithful observance of the truce prescribed. There were still in the hands of the English several castles, and an extent of territory which had from time immemorial, been regarded by the Scottish Kings, as making properly a part of their dominions; and it is therefore probable that Robert and not a few of his patriotic and warlike barons might not be averse to see a renewal of hostilities against the English, which should afford them another chance of restoring their frontier to its ancient boundaries.

The truce
violated.

NOT long therefore after Robert Stewart's accession, the petty hostilities of the Scottish and English borderers began to become mutually more frequent and more vexatious than they had, for some time before been. Justice was at first reciprocally done upon the aggressors, at the complaints of the sufferers, by the wardens of the marches, agreeably to the provisions of the treaty of truce. But, it soon happened at a fair in Roxburgh, which was at this time held by the English, that a squire of the name of Dunbar, in the service of the earl of March, was in a fray circumvented and slain by the English. The earl demanded justice to be executed upon the assassins. Persuaded, it may be, that Dunbar had deserved his fate, or contemning the resentment of March, and willing to provoke the hostilities

hostilities of the Scots; the English answered the Earl's complaints with derision, and refused the satisfaction he required. But, March would not forego his revenge. At the return of the next fair at Roxburgh, he secretly assembled a troop of armed followers; approached the town; and when the moment arrived of the fullest assemblage of people being congregated carelessly in the fair; then rushed out of ambush, and attacking them unaware and unsuspecting of danger; destroyed them with a general and unsparing slaughter. This enterprize, which more than retaliated the murder of March's servant, was however so flagrant an infraction of the truce, as could not but be followed by indignant and general hostility, on the part of the English. The loss of his servant by an accidental rencounter in a fray, could never, even with all those circumstances of additional provocation with which it was accompanied, justify the perfidy and cruelty of this massacre at Roxburgh. From the castle and from their other contiguous posts, the English, without making any peaceable demands of redress, speedily mustered a powerful force; and making a sudden incursion into the territory of Berwick-shire, where it was occupied by the Scots, spread terror and desolation wherever they advanced; burning the cottages, massacring the peasantry, driving away the flocks and herds, and destroying whatever spoils they could not carry

• with

SECT. I.
CHAP. VI.

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1371-80.

SECT. I.
CHAP. VI.

A. D.
1372.

with them. By this inroad, the lands of John Gordon of Gordon, were more especially ravaged and laid waste. To revenge the injury, Gordon with another troop soon made a furious incursion into the territories of the English. Not unaware of his approach, they assembled to oppose and chastise the spoilers, in numbers greatly superior to Gordon's force. Their leader was a valiant knight, named Sir John Lilburne. The two parties met and encountered each other in fight: the combat was long, obstinate, and bloody: at length the Scots prevailed: wounded and obliged for five times successively to seek his safety in flight, Gordon still manfully returned to charge the foe, until a great part of the English had fallen. Lilburne their leader, with his brother, and not a few others were made prisoners; and there remained none upon the field to dispute the victory with the brave Scots*.

Ridiculous
route of
the Eng-
lish.

THE truce was now violated on both sides beyond the possibility of an easy cessation of hostilities. From one side of the island to the other, from the Tweed to the Solway, the alarm of war, was loudly sounded. Piercy, earl of Northumberland mustering the whole military force of his county, entered the Scottish border, as far as Dunse, to avenge and repair the disaster suffered by Lilburne. On the first evening of his expedition,

* Fordun. XIV. 37 :—Boeth. XV.

SECT. I.
CHAP. VI.
A. D.
1372.

SECT. I. boldness and activity, and with success not less fortunate and splendid*.

CHAP. VI.
A. D.
1372-80.

A new treaty of-
fensive
and defen-
sive with
France.

AMIDST these military transactions by which the war with England, was not unsuccessfully renewed; Robert had not neglected to renew also by a solemn embassy to France, the ancient alliance between the French and Scottish nations. Cardinal Wardlaw, bishop of Glasgow, who went upon this mission, found that Charles the Sixth had now ascended the throne of France; succeeding to his father John, who had died in captivity in England. Short truces might occasionally interrupt the war between France and England; but Edward still prosecuted his pretensions to the French Crown; the house of Valois still firmly maintained those rights by which they possessed it; and final peace was as yet far distant. To the French King, therefore, the alliance of the Scots could not fail to be at this time peculiarly acceptable. A new treaty was solemnly concluded between the French monarch and the Scottish ambassadors. It was agreed that the French and Scots should in concert renew the war with England; that they should agree to no separate peace with their common enemy; that the King of France should guarantee that order of succession to the Scottish throne, which had been already established, or rather whatever

* Fordan. XIV. 39, &c.

ever order King Robert and his Parliament might think fit to prescribe. If the French would not contribute money to the Scots for the payment of the arrears of the ransom due for the liberation of their late King from captivity; they could however prompt them to vindicate themselves by their swords from the farther fulfilment of a condition so humiliating. Having successfully accomplished the purpose of his embassy; Wardlaw with his attendants speedily returned to gratify their King with an account of these negotiations. He was not slow to ratify the treaty. Ere they arrived, war was already kindled up, on the confines between the two kingdoms. The events of each succeeding day, inflamed the animosity, and spread it wider. The hopes of the aid and steady support of France, encouraged the Scottish nation in general to take up arms with eager indignation against their proud and hated neighbours*.

SECT. I.
CHAP. VI.
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1372-90.

IN the prime of his youth, while he was yet only Steward of Scotland, Robert had obtained a papal dispensation, to enable him to espouse Elizabeth the daughter of Adam Muir of Rowallan. By her were born to him four sons, John, Walter, Robert, and Alexander; beside several daughters. But, Elizabeth dying before his accession to the throne; he had, since her death taken to wife Euphemia, the daughter of Hugh,

Robert
Stewart's
marriage
and off-
spring.

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earl

* Fordun. XIV. 44 :—Fædera T. VI. &c.

SECT. I.
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earl of Ross; who bore to him two sons, David and Walter, and a daughter already given in marriage to the son of the earl of Douglas. That Euphemia might duely share the royal honours of her lord, she was now solemnly crowned Queen of Scotland at Scone, by the ministration of the bishop of Aberdeen*.

Truces.

WHILE the Scots and English were harassing one another with incessant inroads of ravage and depopulation, upon the borders; and were mutually threatening mightier and more formidable enterprizes; the French and English began to find their fortunes so equally balanced in the war upon the continent; that a peace became alike eligible to both nations. Truces were successively agreed to; being continued, one still as the period of a former expired; till a treaty of lasting amity should be finally concluded between them. These truces comprehending with the French, also their Scottish Allies; interrupted for several years, the prosecution of those hostilities which the Scots had eagerly commenced: The interval of uncertain tranquillity, however, afforded leisure to the Scottish monarch to turn his cares more particularly to the administration of the internal government of his

* Fordun. XIV. 39:—De Nuptiis Roberti Senescalli Differtatio, Goodall's Fordun. T. I:—Hay's Essay on the origin of the Stewarts, Edinburgh 1793:—Chalmers's life of Ruddiman, 2c, &c. &c.

his dominions ; and by justiciary progresses, to re-
 prefs licentious violence, and to maintain peace and
 order among his subjects*.

SECT. I.
 CHAP. VI.

A. D.
 1372-90.

BUT, the truces between France and England, ended, without having produced that permanent peace for the purpose of negotiating which, they had been at first agreed to. Even before the term of the last of those truces, had expired, the castle of Berwick was retaken from the English, by a stratagem contrived and executed by a few common men of the county of Merse. A more formidable enterprize was, soon after, undertaken and boldly executed by William earl of Douglas ; who, assembling a powerful force, entered England on the side of the western marches ; surprized many of the unarmed inhabitants of Cumberland at a fair in Penrith ; seized the merchandize which was there exposed to sale ; rifled the town ; and then setting it on fire, retired homeward with his troops loaded with spoils. They returned home in safety. But, it was not long till the English with an army of fifteen thousand men, came to retaliate upon the Scots the injuries which Douglas's inroad into Cumberland, had inflicted. The invaders extended their ravages far and wide through the western districts of Scotland. But, ere they could march back into their own territories with their
 booty ;

* Ford. XIV :—Hollin. and Hook. III. 499, &c. Fœdera VI.

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A. D.
1372-90.

booty; the Scots who had assembled in a body to repel the invasion; made a successful stand; drove the disorderly invaders into flight; and pursued them so furiously to the Solway, that while many were slain in flight, many perished in their trembling attempts to swim or wade across the Solway, near Boness. The Scots remained exulting victors over the proud foes by whom they had been so threateningly invaded*.

Causes of
the inferiority
of the Eng-
lish.

NOR were these the only advantages about this time obtained by the Scots over the English. Edward the Third was now no more: His grandson Richard was but a weak and giddy youth: The uncles of Richard, the younger sons of Edward the Third, were the ministers and tutors of the young monarch; but were more attentive to advance their private interests, than faithfully to serve the nation and their King. To its very extremities, the government of the whole kingdom felt the mischiefs of this mal-administration. Vigour, vigilance, prudence, heroic ardour, ceased to be displayed in the counsels and in the military conduct of the English. In the many inroads and skirmishes by which the Scots and English now incessantly harassed each other, upon their frontiers, the Scots were for the most part victorious; defeat,

* Fordun. XIV. 43 :—Hollinshed and Hooker's Chronicle, p. 420 :—Lesh. Res Gestæ, 250.

defeat, and disgrace were the portion of their SECT. I.
CHAP. VI. foes. The warriors on both sides were the same :  But, their Kings, their leaders, their zeal, their A. D.
1372-90. hopes were no more so. While the reign of Richard began to be entangled in difficulties, and surrounded with troubles ; his council and ministers were induced to advise him to seek peace, or at least a temporary truce with the Scots. His uncle John of Lancaster came northwards to Berwick for this purpose. And whether it were through fickleness and levity, or in consequence of neglect suffered from the French, or in compliance with the necessities of their affairs ; the Scots shewed themselves not unwilling to listen to his proposals*.

IT was during the stay of Lancaster at Berwick, Insurrection in England. that the flame of insurrection among the *villains*, *soccage-vassals*, and meaner burghers ; being suddenly kindled up by the severity with which some new and enormous taxes were levied ; soon spread itself over a very great part of England. Lancaster, who had been lately the most conspicuous agent in the administration of the royal authority, was the most hated object of the fury of the insurgents. Fortunately absent upon the negotiation of the truce with the Scots ; he thus escaped from falling the victim of their rage. But, while they entered London, and made the young monarch tremble

* Fordun. XIV. 46 :—Hollinshed and Hooker's Chronicle, ut supra.

SECT. I.
CHAP. VI.A. D.
1372-90.

tremble on his throne ; they failed not to destroy the property, since they could not reach the person of his absent uncle. A truce for three years, was in the mean time successfully negotiated with the Scots. The hopes of recovering the once usurped sovereignty of Scotland, were forgotten. Lancaster, fearing perhaps for his personal safety, and aware that his presence might irritate the insurgents, but could hardly serve to quash the insurrection, accepted the courteous offers of Scottish hospitality ; and permitting the earls of Douglas and Murray, by whom the negotiations for the truce were managed on the part of the Scots, to conduct him northward to Edinburgh ; was there magnificently entertained in the castle or at the monastery of the Holy-Rood ; until the settlement of the domestic disturbances in his own country allowed him to return in security home*.

UPON the expiration of the truce which had been so amicably negotiated with the Duke of Lancaster, the war was again renewed. Lochmaben-castle, the most northern fortress possessed by the English on the western side of the island, was held by a garrison under the command of Sir William Featherstone, whose sallies for forage, pillage, and the constant hostile annoyance of the Scots inhabiting the circumjacent country, were found to be exceedingly

* Fordun. XIV. 46.

exceedingly wasteful and afflictive. To deliver the country from their ravages, Archibald the brother of William Douglas, and by inheritance from the family of Comyn, lord of Galloway, projected a brave enterprize for the siege of the castle. The Galwegians who had suffered the most from the hostilities of the garrison, eagerly followed the banner of their lord. An opportunity was vigilantly seized when the garrison were weak and almost destitute of necessaries. Featherstone being summoned to surrender, could not dissemble the difficulties and distress of his situation, but fought and obtained a truce with the besiegers for eight days, on condition that if not relieved within this space of time, the garrison should on the ninth day deliver up the castle. It was in the month of February, in a winter unusually cold and stormy; and the besiegers, during this interval of truce, were to remain in arms before the castle, and almost without shelter from the severity of the season. These difficulties were not, however, sufficient to divert them from their purpose. They remained. No relief came to save the garrison from falling into their hands. The castle was yielded, and by the successful besiegers levelled to the ground. In accomplishing this important enterprize, the earl of Galloway was aided by the counsels and martial activity of the earls of Dunbar and Douglas*.

SECT. I.
CHAP. VI.

A. D.
1384-90.
Capture
of Loch-
maben-
castle.

Fourth of
February.

2

ALARMED

* Fordun. XIV. 47.

SECT. 1.
CHAP. VI.

A. D.
1384-90.
Richard
invades
Scotland.

ALARMED by the vigorous activity of the Scots which could chuse the depth of winter for such an enterprize; and by the success with which they had recovered one of the most important fortresses on the western frontier: the English now prepared to invade Scotland with a great army, such as should sufficiently chastise the Scots for the hostilities which they had lately committed against England, and should reduce them to that humiliation to which they had often been subjected by the successful invasions of the Edwards. To strengthen Roxburgh against a siege, they, in the mean time sent the baron of Graystock with troops, and with a long train of waggons and beasts of burthen, loaded with provisions, arms, and other necessaries for the use of the garrison in the town and castle. Aware of the approach of Graystock, the earl of March intercepted him by the way; and in a desperate conflict, routed his party, left many of them dead on the field, made not a few prisoners,—and among these last, Graystock himself, whom he courteously conducted to his castle of Dunbar. In the castle of Dunbar, he seated his captive at a sumptuous entertainment at his table, in which Graystock had the mortification to see himself served in the rich plate, and with the wines which he was conveying to Roxburgh for the use of his friends, when encountered by the earl of March. But, an army of thirty thousand men, led by King Richard himself in person

son and by the duke of Lancaster, advanced with a menacing career,* through Northumberland, entered Scotland on the side of the eastern marches; and proceeded onward as far as Edinburgh; while a fleet accompanied their progress by sea, and failed triumphantly into the Frith of Forth*.

SECT. I.
CHAP. VI.

A. D.
1385.

BUT, the Scots saw the blast approach, without any fearful alarm. Willing, if possible, to occupy the military forces of the English so much within their own island, that they might not think of prosecuting the war on the continent with any powerful efforts: the French King had sent to the aid of his Scottish allies, John de Vienne admiral of France, with a fleet of not a few ships, having on board two thousand armed warriors, a large sum of money, and a considerable quantity of spears and other armour. Aid so powerful was gladly received by the Scottish monarch and his barons.

A counter-invasion of England was quickly determined upon, as the best means for compelling the English to retreat from the invasion of Scotland. From the eastern marches de Vienne with the earl of Douglas made some successful incursions into England; and took and demolished some considerable castles in Northumberland. On the western side, the same auxiliaries aided the earl of Galloway in an inroad into Cumberland. But, the cap-

Counter-
invasion of
England.

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T

ture

* Fordun. XIV. 47, 48.

SECT. I.
CHAP. VI.A. D.
1585.

ture of Roxburgh, being considered as the most useful enterprize that could be undertaken; the congregated force of Scotland, with the French allies, assailed this place, and had hopes of restoring it to the frontier of the Scottish dominions, which made them prosecute the siege with singular activity and zeal. Yet, while they were urging this siege, the French commander, and the King's sons the principal leaders of the Scots, were led into a foolish dispute concerning the property of the besieged town and castle; whether it should if taken be restored to the dominions of Scotland, or should not rather become the property of the French King. This dispute rose so high that the Scots and the French would no longer serve together in the same expedition. The Scots did not now earnestly strive to retain the French in their country; for the spirits of the two nations did not well accord; and the French having delivered the subsidy which they brought, could not after this, long retain the favour of the proud and hungry Scots*.

THE expedition of the English was fortunately defeated, as well as the purpose with which the French allies had come into Scotland. Their fleet, as former fleets had done, made various descents upon the coasts, and especially in the Frith
of

* Fordun. XIV. 49, 50, &c.

of Forth, ravaged the islets, and spoiled the religious houses. But, storms arose; some of the English vessels suffered shipwreck; and St Columba was believed to have thus miraculously interposed for the punishment of that sacrilege by which his shrines had been violated. On land, however, the invaders had not met with the same disasters; although they had ravaged the district of Lothian with unsparing fury, and without any distinction in favour of things sacred to religious uses. The town of Edinburgh, with its church consecrated in honour of Saint Giles, shared the same fate. The alarm of the Scottish invasion of England, served to recall Richard from the farther prosecution of this enterprize; although the Scots with their allies, had already returned, ere the English army could be ready to intercept their retreat*.

SECT. I.
CHAP. VI.

A. D.
1385.

The shores
of the
Forth
spoiled.

BEFORE the English had long returned from invading Scotland; ere the French allies commanded by De Vienne had been long gone for the continent; the Scots made a second inroad into the borders of Cumberland; and retaliated those mischiefs which Richard had inflicted upon Lothian. Nor were the Scots content with harassing their potent enemies in England alone. William the bastard son of Archibald earl of Galloway, who, by his father's concession, obtained from the King the earldom of Nithsdale, and

Expedition of the
earl of
Nithsdale
to Ireland.

* Fordun. ubi supra.

SECT. I.
CHAP. VI.

A. D.
1385-90.

and a wife of the royal family, was one of the most heroic knights of the age. To avenge himself, his father, and his country upon the English for the miseries which they had inflicted, especially upon Galloway, partly by incursions from the western border of England, and in part by piratical expeditions from the Irish coast; this gallant youth, already distinguished by exploits achieved in repulsing and retaliating the invasion of the inveterate foes of his country; mustered a company of brave companions; and failed to attack the English power in Ireland. Landing at the town of Carlingford, he besieged that place, and summoned its inhabitants to surrender it. Taken thus unexpectedly, and not in a condition to withstand a siege, they affected to listen to his proposals, and entered into a treaty for a capitulation. Secure as to their success against the town, the Scots detached a large part of their force to ravage the adjacent country; a part had been left on board their ships. But, having, in the mean time, concerted a stratagem to over-reach and surprize the besiegers; the townsmen secretly sent messengers to Dundalk, demanding immediate aid; and promising, that with a moderate reinforcement, they should be able to cut off the whole Scottish force. The aid which was demanded, instantly marched. Before the Scots were aware of their danger, no fewer than eight hundred horsemen were seen to approach, for the relief of the town besieged.

besieged. The townsmen issued in great numbers from their gates, to join this friendly host. A fierce engagement ensued; the Scots being now but two hundred in number, against so many foes. Of the Irish troops one part turned to pursue the spoilers who had dispersed themselves over the country; while the rest attacked Douglas with his company, immediately before the town. At last, the Scots, on all quarters victorious, even against such odds; spoiled the town and castle; and then setting the buildings on fire, and seizing some vessels which lay in the harbour, sailed away in triumph, with all the rich booty which they had so bravely won. On their passage homeward, they made a descent upon the Isle of Man, which was at this time in the hands of the English; and having laden their vessels with such additional spoils as it could afford; again continued their voyage, and landed safely in the bay of Lochryan in Galloway*.

SECT. I.
CHAP. VI.

A. D.
1385-90.

SCARCELY had the brave William Douglas, with his companions, landed on the coast of Galloway, when they learned, that almost all the flower of the Scottish youth, were then engaged in an incursion into England, led by the earls of Fife, Douglas, Galloway, March, and Moray. William and his brave comrades flew with eager haste to share the

* Fordun. XIV. 51, 52.

SECT. I.
CHAP. VI.

A. D.
1385-92.

the achievements and the glory of the enterprize. This army had invaded England in two divisions, one of which was commanded by the earls of Fife and Galloway ; while earl Douglas, with the earls March and Moray led on the other. On the side of the western marches, were the earls of Fife and Galloway, with the troops which followed them ; while the force led by the earl of Douglas penetrated through Northumberland as far as Newcastle upon Tyne. They besieged this town, and attempted, but in vain, to take it by storm. While they lay before it, news was brought, that all the military force of Northumberland, led by the gallant Henry Percy son to the earl of the county, and in allusion to his ardent valour, distinguished by the name of HOTSPUR, was approaching to engage the Scottish army, and raise the siege of Newcastle. At this news, the Scots already despairing of success against the town, and having from the first, made it the object of their expedition, rather to ravage the country, than to risk the fortune of a pitched battle ; decamped from before Newcastle, and proceeded on their way homeward. The English, led on by the furious Hotspur, followed hard after. In the evening, while the Scots were carelessly encamped ; while their warriors were for the most part disarmed ; while the earls of Douglas, March, and Moray, unaware of any immediate danger, were sitting down in the commander's

der's tent, to supper ; the alarm was suddenly given, that the English were near at hand, and were about to rush furiously upon them. Upon this alarm, the Scots in haste took their arms, and endeavoured to make a brave resistance. Douglas ashamed to have thus suffered himself to be surprized by the English, waited not to array himself in complete armour, but flew, careless of his personal safety, to resist the first impression which the attack would naturally make on the disorder of his followers. While the light-armed and disorderly followers of the Scottish army betook themselves to sudden flight, and were pursued by a part of the English ; the more distinguished and full-armed warriors boldly opposed the force by which they were assailed, and like their adversaries, availing themselves of the darkness of the night, turned upon them with desperate impetuosity ; and using here stratagem, there all the rage and firmness of despair ; at length broke the force of the attack of the English, compelled them to recede, drove them into general flight, and pursuing the fugitives, made a terrible slaughter, and took many prisoners. In the attack made by the Scottish spearmen, they found a resistance from the enemy which they could not master, till at last John Swinton a brave Scottish knight, instead of pushing with his spear, raised it aloft at one side, and with a mighty stroke, brake the shafts of so many of the spears

SECT. I.
CHAP. VI.
A. D.
1388-92.
Battle of
OTTER-
BURN.

SECT. I.
CHAP. VI.A. D.
1388.

spears in the hands of the foremost column of the English, that the column was there thrown into disorder, and an impression was instantly made, which being vigorously pursued, gave the victory to the Scots. Among the prisoners were young Harry Piercy, with Ralph his brother. Of the English fifteen hundred were slain; and those who perished on the side of the Scots, were even more numerous. But, in Douglas, who fell, mortally wounded in the head and neck, in consequence of that want of complete defensive armour, in which he had rushed out to the fight,—in him even alone, the Scots seemed to themselves to have lost an host. With him fell also two distinguished warriors, Robert Hart and John Towers. Tidings of the battle and of its event were quickly carried to the earls of Fife and Galloway, where they lay with their forces, within the western border of England. Lamenting the fate of Douglas, and of their other fellow-countrymen who had perished in the battle; but exulting in a victory so glorious, and as to the comparative state of the forces on the Scottish and the English sides of the marches, so decisive; they mustered their forces, and returned straightway home. The battle of Otterburn was fought on the fifth day of August, in the year one thousand three hundred and eighty-eight*.

THE

* Fordun. &c. Froissard:—Piercy's Reliques of Ancient Poetry, Vol. II.

THE old age and bodily infirmities of Robert the Second now rendered him unequal to the active cares of government. But, prince John, his eldest son, being lame in consequence of a stroke accidentally received upon his thigh from an unruly horse; and possessing, besides, but feeble abilities, and an indolent temper of mind; was unfit to disburthen his father of the weight of administration. Robert, earl of Fife, a man of a bolder spirit and more vigorous talents, had been ever since his father's accession to the throne, the chief minister of all his counsels. The King himself, now retiring more absolutely than before, from all the active duties of royalty, therefore resigned the reins of government wholly into the hands of the earl of Fife, his second son, and formally nominated him to be governor of the kingdom. Robert, with no less zeal than he had before displayed, soon sought an opportunity to signalize his administration by a new inroad into England. The opportunity which he sought, quickly occurred: For the earl-marshal of England, deriding the Piercies on account of the defeat which they had sustained at Otterburn; proposed himself to restore the honour of his country, by an expedition into Scotland that should more than avenge the ravages which the Scots had lately inflicted, and the carnage which they had made. Accompanied by Archibald earl of Gallo-

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A. D.
1388-90.
The earl
of Fife go-
vernor.

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art.

SECT. I.
CHAP. VI.

A. D.
1385-90.

art eagerly led an army into England, to anticipate the threatened invasion. The flower of the Scottish warriors were in the army of Stewart. At their approach, the earl-marshal sensible of the inferiority of the force which he led; and being either too cautious, or too timid, to meet the Scots with unequal numbers; chose a position for the encampment of his army, from which he could not be forced to fight at a disadvantage. In vain did the Scots provoke him to meet them on equal ground. He saw them ravage the country around; heard them scoffingly summon him to battle; and bore even the scorning insults of his own followers whose ardour he restrained, without being moved to forego those advantages which his favourable position secured to him. The Scots after ravaging the country, and in vain striving to draw out the English to battle, retreated back into their own country; and even accomplished their retreat without being at all annoyed by the forces of the English. The Scots might now boast that they had terrified the English commander so as to make him forget his insolent threats; and had ravaged the territories of England, unresisted, in the face of an English army. The English might scorn the leader who had not yielded to the headlong impulse of their martial ardour, when they were in presence with the Scots. But the earl-marshal had probably acted the part of a wise and able general in refusing

fusing to fight in circumstances in which he could not hope for victory. Stewart and Douglas had equally acted the part of able leaders by gratifying the bold ardour of their troops, and yet conducting them home, without any needless waste*.

SECT. I.
CHAP. VI.

A. D.
1388-90.

A TRUCE between France and England produced soon after a cessation of hostilities equally between the English and the Scots; for the Scots were at this time inseparably attached to all the amities and enmities of their continental Allies. The truce was to last for the space of three years. But, Robert the Second was not to survive to see upon its termination, the renewal of the war. He died in his castle of Dundonald, in the month of April, in the year one thousand three hundred and ninety; in the seventy-fifth year of his age; and after a reign of somewhat more than nineteen years.

Death of
Robert the
Second.

ROBERT the Second was the child of high expectation, and his infancy was dandled in the lap of royalty. But, the birth of David Bruce, removing him from the prospect of the direct inheritance of the Crown, had thus served to favour his being educated to manly exertion, and to that vigour and activity of character, without which high birth, wealth, and external honours are but unavailing

His character.

* Fordun. &c.

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A. D.
1388-90.

vailing names. Yet, he attained not to that discernment, firmness, and promptitude of mind, which meet in the hero and the sage. He was superior in almost every great quality to his uncle David Bruce, but greatly inferior to Wallace, Robert Bruce, the First and the Third Edwards of England, and to several of the heroes of the race of Douglas, who adorned this age. He was not deficient in valour; a quality in which indeed the Scots of this æra were rarely wanting: He possessed also that candour, openness, and dignity of manners which rarely fail to acquire popularity to a man of high rank: but, he was unaccustomed to judge for himself, and to take his part with the decision of a man whose fortune depended ultimately upon his own conduct alone. A weaker man would have been unable to act that useful and important part which Stewart acted while guardian of the kingdom in the absence of David Bruce: A man of more eminent abilities, would probably have withheld all power from David after his return out of England; and would never have actually surrendered the authority which had been so long left in his hands. It must, however, be confessed, that the abilities of Robert Stewart were depressed and thrown into the shade in his earlier years by the dependence upon his uncle in which he was necessarily placed,—in the latter part of his life, by the rising powers and the bold ambition of his

his own sons. Of the Scots in general of this period, it is to be observed, that they rather yielded to the impulse of events, and swam unresisting down the current, than displayed that bold originality of genius by which Wallace, Bruce, Douglas, and Randolph had conducted those councils and military enterprizes which, in the period immediately preceding, rescued Scotland from under the yoke of English usurpation.

SECT. I.
CHAP. VI.

A. D.
1385-96.

IN the period extending from the accession of Malcolm Canmore to the death of Alexander the Third, it had been the primary object of the policy of the Scottish monarchs, to reduce all the petty chieftains within the limits of their dominions, to an entire subjection under the royal authority of the Crown. From the death of Alexander the Third to the present time, the object of all the policy and all the wars of the Scottish nation had been to resist the conquering ambition of the English. The extirpation of almost all the families of the ancient independent chieftains of the southern and middle parts of Scotland, had raised the Scottish monarchs to the ordinary power and dignity of feudal sovereigns. But, to resist the force, and the policy of England, required efforts even greater and more desperate, than those which had been formerly exercised for the establishment of domestic order. Yet, this object was at length almost

I completely

SECT. I.
CHAP. VI.

A. D.
1288-90.

completely accomplished. Wallace first, and then Robert Bruce had traversed all the deep schemes of Edward the First: the weakness of Edward the Second opposed to the experience and enthusiastic energy of Robert Bruce and his adherents, at last left Scotland in possession of its ancient freedom: the ambition and high talents of Edward the Third finding an apt instrument in the younger Balliol, while there was none but a boy to hold the Scottish Crown for the family of Bruce, had almost rivetted anew those chains from which Robert Bruce had delivered his country. But, the last efforts of that generous spirit of patriotism which Wallace and Bruce had kindled; the fortunate diversion of Edward's ambition to the theatre of the continent; the consequent interposition of France to support the Scots against the English; even the happy tergiversation of David Bruce which had withheld the English from prosecuting in war, what they hoped to accomplish by policy; and at last the uncertain counsels of the minority of the English Richard the Second; had again almost wholly frustrated the designs of Edward the Third against the independency of Scotland, just as the schemes of his grandfather had been frustrated before.—The intervention of France in the wars between the Scots and the English, had now drawn the Scots in some degree within the sphere of continental politics. Already did that system of policy begin to

to be formed, which was, afterwards to combine all the nations in the middle and southern parts of Europe, into one circle of constantly mutual friends or enemies. France and England were long to contend for the friendship of the Scots, who, at times, were able to hold the balance between them; And France was to strengthen herself against the superiority which the approaching union of Scotland with England, would necessarily bestow upon the latter in her contests with the French,—solely by wresting from the English Kings in happy hour, all their dominions within the bosom of France,—and by subjecting her own overgrown nobility, to the unresisted power of the throne.—Still did the English hesitate, even in the feeble reign of Richard, to relinquish those rights which they fancied themselves to have acquired to the paramount sovereignty of Scotland. But, although nominally retained, those pretended rights were however, as it should seem, now virtually relinquished: And it was a war of mutual, inveterate, inextinguishable malignity fomented by the artifices of France,—not a war excited on either part by the hopes of lasting conquest,—which now prevailed between the Scots and the English. The Scots had learned the arts of defence; and were conscious, that all the force of England could never entirely subdue them.

SECT. I.
CHAP. VI.
A. D.
1388-99.

CHAP.

CHAPTER VII.

Reign of ROBERT the THIRD.

SECT. 1.
CHAP. VII.

A. D.
1390.

Accession
of Robert
the Third.

TO Robert the Second of this name, the first of the race of Stewarts who sat on the Scottish throne, succeeded John earl of Carrick, his eldest son by Elizabeth More. John was solemnly crowned King of Scotland at Scone, on the fifteenth day of August, in the year one thousand three hundred and ninety. On the day following, the same honours of coronation were also conferred upon Annabella Drummond his Queen. But the name of JOHN was unknown in the catalogue of the former sovereigns of Scotland: That name which had been held by the first heroic Bruce, was dear to the Scots above all other names: and John was therefore persuaded to assume the appellation of ROBERT the Third; calling himself after his great grandfather, and his father. A great concourse of the Scottish clergy, burgeses and barons, with their respective followers, thronged to congratulate their King on his accession, to assist at the ceremony of his coronation, and to meet him in Parliament for the transaction of the legislative business of the state. Consent so joyfully unanimous seemed to promise

promise to the new King a fortunate reign, strong in the harmony and loyalty of his subjects*.

SECT. I.
CHAP. VII.

A. D.

1340.

State of
national
affairs in
regard to
England.

THE mutual hostilities of Scotland, France, and England were still suspended by a truce to the observance of which with due fidelity the new King solemnly swore even before the act of his coronation was formally consummated. Richard still young and unskilled in the arts of government, was wholly occupied in pleasures, in resisting, or yielding to, the cabals of his nobles and courtiers, and in other cases which left him little at leisure to renew the war with Scotland, or with France. Robert the Third, pacific in his natural temper, and now too infirm in body for the toilsome enterprizes of warfare, was more disposed to maintain such a cessation from hostilities as might suffer the industry of his subjects and the fertility of his kingdom to be revived, than to rush with rash impetuosity into the mischiefs of new war†.

BUT, the spirits especially of the northern Scots, as yet uncivilized, and inured to continual wars, could not quietly enjoy that rest from foreign contests which the truce with England now afforded them. The northern clans still lived in a state ap-

Disturbances in the
East-Highlands.

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proaching

* Fordun. XIV:—Winton. Book VIII.

† Fordun:—Winton.

SECT. I.
CHAP. VII.

A. D.
1390-Y.

proaching more nearly to savage than to civil life, and were, even in this age, much more barbarous than the inhabitants upon the middle and south-east coasts of the kingdom. In the government, too, of such a prince as Robert the Third, there was necessarily a want of energy, but too favourable to domestic feuds among his turbulent barons and disorderly clans. At the moment of interregnum which passed between the death of Robert the Second and the coronation of his successor; Alexander Stewart, earl of Buchan, and son to the deceased King by Elizabeth More, had, in revenge for some slight injury or affront from the bishop of Moray, pursued him to his episcopal seat at Elgin, and failing to get the bishop within his power, had set on fire the cathedral of Elgin, and furiously burnt it to the ground. Perhaps this violence had been retaliated; and the Stewarts were moved to revenge the retaliation: Perhaps it might be only the same fierceness and turbulence of character exerting itself in a new direction: But however this might be; the inauguration of the new monarch had not long been celebrated, when Duncan, son to the earl of Buchan, with the armed vassals of his father, in scornful violation of the King's peace, made a sudden inroad into the county of Angus. At *Glenbrereth* they were opposed by Ogilvy sheriff of Angus, and his uterine brother Walter Leighton at the head of the armed force
of

of the county. A desperate conflict took place : SECT. I.
CHAP. VII.
The spoilers prevailed ; and Ogilvy and his brother Leighton were slain, with about sixty of their comrades. Nor does it appear that the Stewarts of Buchan were immediately brought to justice*.

A. D.
1390-1.

ON the marches between Scotland and Eng- Affairs on
the bor-
ders.
land, the truce now prolonged for a farther term of some years, was still faithfully observed. Piercy, earl of Northumberland, and James earl of Douglas, were, at this time the principal commanders on the borders for the English and the Scots respectively. While acts of rapine and of sudden outrage were occasionally committed upon both sides ; such impartial justice was however done equally to Scots and English by both the Lords-Wardens, that the guilt and dissensions of individuals were prevented from kindling up unseasonable hostilities between the two rival nations. Single combat was not yet excluded from the modes of trial and decision authorised by law : And of this a remarkable instance was now exhibited in a combat fought between Struthers an Englishman, and Inglis a Scotsman, in the presence of Douglas and Piercy, for the solemn decision of a quarrel between the two champions. The Englishman fell†.

A

* Fordun :—Leshai :—Winton.

† Fordun.

SECT. I
CHAP. VII.

A. D.
1390-400
Combat
between
two Clans
on the
North-
Inch of
Perth.

A CONTEST between too fierce northern clans produced another judicial appeal to the fortune of combat, at Perth, in the year one thousand three hundred and ninety-six. The hostile clans were the *Clan-kay*, with their chieftain *Scheabeg*, and the *Clan-qubele*, whose chief was *Christi-Jonson*. No easier expedient could quell or pacify the feud subsisting between the two rival tribes. With difficulty did the King's justiciaries persuade them to submit the determination of their quarrel to the issue of a combat between a certain number of chosen warriors from the one clan, and an equal number from the other, to be fought at Perth, in the presence of the King and his Court. From all parts of the kingdom there was a concourse of spectators to see the combat. Battle-axes, swords, with bows and arrows were the weapons which the combatants agreed to use. Thirty out of the one tribe were opposed to thirty out of the other. It was on the Monday immediately before Michaelmas, that they met in arms on the beautiful plain named the *North-Inch*, on the southern bank of the Tay, and contiguous to the town of Perth. When these champions stood ready for the word to begin the mutual attack, one coward from among them shrinking from the danger and the glory, threw himself into the Tay, and swimming across, left his comrades to fight or flee, how they chose. By this diminution of the number upon one side, the combat

combat was for some moments delayed, till a brave fellow advancing from among the surrounding crowd, offered for the small reward of half a merk, to supply the place of the fugitive, and to risk his life, as a mercenary, in a contest in which he had no previous concern. His proffered aid was accepted. The combatants assailed each other with terrible fury; prolonged the engagement with all the most desperate exertions of rage, intrepidity, strength, and address; nor ceased, till of the vanquished Clan-kay only one survived, of the Clan-quhele, but eleven. The stranger who had with such savage indifference to life, joined the combat, had the wonderful good fortune, after acquitting himself manfully, to survive the fight without a wound. The event of this combat quieted, for a time the disturbances of the northern Highlands*.

SECT. I.
CHAP. VII.

A. D.
1398.

BUT, the same indolence of character, the same infirmity of body and weakness of mind, which had rendered Robert the Third when earl of Carrick, and in the latter years of his father's life, less fit than his brother Robert earl of Fife, for relieving his father of the toils and cares of the administration; made him, even now, averse from the active duties of government, and but ill-qualified to exercise them. The earl of Fife, still directed the royal counsels, and administered the King's power; while

Domestic concerns of the family of Robert the Third.

* Fordun :—Winton :—Conflicts of the Clans.

SECT. I.
CHAP. VII.

A. D.
1398.
Dukes first
created in
Scotland.

while the King himself passed much of his time in indolent retirement at a favourite castle which he possessed near Logierait in Athole. To gratify the ambition of the earl of Fife, and at the same time to grace young David the King's eldest son; the honours of **DUKES** of Albany and Rothsay, were conferred upon the uncle and the nephew, at a solemn meeting of the Scottish Parliament at Perth, in the year one thousand three hundred and ninety-eight. Not that the title of *Duke* could confer any higher power than the title and office of earl. But *Duke* was a title which had been lately conferred, with some degree of profusion, by King Richard of England, upon some of his favourite courtiers; And since it might serve as well as that of *Count* or *Earl*, to distinguish a nobleman as enjoying the principal freehold possession, with the jurisdiction civil and military within a certain district; it was therefore natural that the influence of fashion and of novelty, should be suffered to recommend this new title as more august and dignified, than that which long use had made familiar. With the titles were also bestowed the jurisdiction and perhaps the freehold property of the two *dukedom*s, the heights of *Albany* or *Braidalbane*,—and the castle of Rothsay with the isle of Bute. Festivities for which the tranquillity of the kingdom, on the side of England, now afforded leisure, and such as were not incompatible with the rude simplicity of the Scot-

tish court ; were celebrated in honour of the occasion. The tourneament, the chace, the banquet, were means of entertainment fitted for the amusement of the assemblage of the Scottish barons at the court of their sovereign, and for the expression of their joy in the prosperity of his family*.

SECT. I.
CHAP. VII.

A. D.
1398.

SUCH public tranquillity was not to be long enjoyed. The rivalry and overgrown power of the nobles, was soon to raise up new mischiefs from the very bosom of harmony and peace. The descendants of those chieftains who had fought for their country with Bruce and Wallace, had now struck firm root in the kingdom. Not for their country alone had those warriors fought ; for, the estates of rebels, traitors, and fugitives, with large grants out of the ancient domains of the Crown, had been the compensations of their services. Possessing such estates, being for the greater part men of ability and valour, enjoying that influence which the deeds of their fathers and their own naturally acquired to them, in the state ; they, with these advantages, became unavoidably formidable even to the Crown. The fiefs of the feudal nobility had, before this period, become fixedly hereditary throughout Europe ; so that a baron who was disagreeable to his sovereign, could no longer be stripped at pleasure, of his lands and honours. Of the nobles of Scotland

* Buchanan :—Fordun :—Winton.

SECT. I.
CHAP. VII.

A. D.
1398.

Marriage
of the
duke of
Rothsay.

land who had profited of these circumstances, the most powerful and eminent, next after the Stewarts, were the Douglasses, and the Dunbars. The earldoms of March and Moray were united in the latter family : The possessions of the former were still more extensive. It was from the family of the earl of March, that the King or the prince himself chose a wife for young David, duke of Rothsay, who had now advanced beyond the age of puberty, and was rising fast to the maturity of manhood. March proud of the alliance, consented to pay a vast dowry with his daughter to her royal bridegroom : The virgin was already espoused ; the consummation of the nuptials was speedily to be celebrated. But, the earl of Douglas and Galloway, Archibald, denominated the *Grim*, jealous of the advantages which this marriage promised to bestow upon a family whose pre-eminence in the state already rivall-ed that of his own ; protested against the espousal of the prince to the daughter of Dunbar, without the consent of the estates in Parliament ; by his intrigues at the court, alienated the minds of the King and the prince from the intended marriage ; and then offering to David, his own daughter Marjory, with a dowry greater than had been paid by the earl of March, procured the duchess of Rothsay to be chosen out of the house of Douglas, instead of that of Dunbar. The marriage between David and Marjory Douglas was solemnly celebrat-
ed

ed in the church of Bothwell. Yet, before its final consummation, March indignantly hastening into the presence of the King, warmly demanded, that his own daughter should either be still preferred, or at least the marriage-portion restored, of which he had already made payment. His complaints and reproaches were too angrily urged to obtain a patient hearing, or a soothing answer. Perhaps the money was already appropriated to other uses. The King was perhaps but a passive instrument in the hands of his son, his brother, and the earl of Douglas. March thus disappointed, robbed, and scorned; vowed to revenge the injury; withdrew in rage from the court; and retiring hastily to England, entered into a traitorous correspondence with the servants of the English King: Treason which might well find an excuse, if it were lawful to sacrifice the interests of our country to our private passions! The slighted maiden, by name Elizabeth Dunbar, retired to hide her shame and disappointment in a cloister*.

IN England, meanwhile, the sovereign had found himself not less weak against the power, the intrigues, and the rebellion of his great vassals. During the earlier part of his reign, King Richard, the son of the celebrated Black Prince, was guided chiefly by the influence of his uncles the dukes of

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York,

* Fordun.—Winton.

SECT. I.
CHAP. VII.



A. D.
1398-1412

York, Lancaster, and Gloucester. Emancipating himself, as he grew up, from their authority, he did not however become his own minister, nor intrust the affairs of his government to wiser and more faithful counsellors. His measures were imprudent; his favourites were mean and weak men. He offended, and alienated from him, the minds of his barons, without diminishing, or rather after he had augmented—their power. He degraded the majesty of the throne without winning that popularity which he might perhaps expect to become the prize of the levity of his manners. In these circumstances he, first, banished his cousin the duke of Hereford, and afterwards upon the death of that prince's father, Lancaster, stripped him of his inheritance. Hereford soon seizing the opportunity of Richard's absence upon an expedition into Ireland, landed from Flanders upon the north-east coast of England; prevailed with the Piercies of Northumberland to espouse his cause; and after pretending at first that he sought only the restitution of the inheritance of which he had been deprived; aspired, when he found himself borne along upon a tide of success, to snatch the crown from Richard's head. The object of his ambition was soon accomplished; and Richard perished. In consequence of this revolution, Isabella, the daughter of the French King, who although yet a child, had been espoused to Richard, returned a widow to her father. The bond of expected

pected peace and harmony between France and England was broken; and a renewal of war between the English on one side, and the Scots and French on the other, was soon to take place*.

SECT. I.
CHAP. VII.
A. D.
1398-1412

THE treason of Dunbar concurred with the wish-
es of the English, and with the temper especially of War with
the borderers, and the lord-warden of the marches. England.
Dunbar had not been long in England, to which he had at first gone under the specious pretext of having business to transact there; when his nephew Robert Maitland, who was intrusted with the custody of Dunbar-castle, during the earl's absence; surrendered it, through fear or treachery, to young Archibald Douglas, the son of Archibald earl of Douglas and Galloway. In vain did the earl of March alledge that he had gone into England under a passport, for the transaction of some private affairs; and without prejudice to his allegiance to the Scottish King. The Douglasses and Stewarts knew that they had injured him; and would not now trust his professions, so far as to arm him again with means to hurt their interests and those of his country, of which they had already artfully deprived him. By this second injury, March was provoked to the utmost; he no longer hesitated to take part with the English in open hostilities against Scotland. His sons, his servants, his kinsmen shared

* Hollinshed's Chronicle, &c.

SECT. I.
CHAP. VII.

A. D.
1398-1412

An Eng-
lish inva-
sion de-
feated.

shared his resentments, and espoused his cause. They repaired in great numbers to join him on the border of Northumberland; and thence coming in frequent inroads, ravaged the whole territory of Berwickshire wherever it was hostile to them, and of East Lothian, as far as Haddington, with terrible devastation. They were wont to issue out in small bands, and to come by stealth upon the burghesses and peasantry, so that their attacks being unforeseen, could not well be guarded against, or eluded, and being incessant, were more harassing and destructive than the wasting career of a great army could have been. Nor was it long till March, not satisfied with the effect of such petty inroads, came upon a grand expedition against his native country. With those from among his own vassals, who still followed his fortunes, came also a select company of warriors, Englishmen of Northumberland, who were commanded by young Harry Percy, the famous Hotspur. The invaders advanced far through the counties of Scotland; laying all waste before them, with the usual ravage which attended such inroads. But, young Douglas, who was now with the garrison in Edinburgh-castle, was warned of the approach of the English, and made haste to meet them. While they lay encamped between Linton and Preston, unaware of any approaching opposition; they were alarmed with the sudden cry, that the Scots were advancing within

within sight. At this cry of alarm, Dunbar and Piercy were compelled to break up their camp in the utmost haste and confusion. They knew not what numbers of the enemy came; and even a few might prevail, if they came ardent, vigorous, and alert, against men whose security exposed them to be routed by panic fear. Leaving, therefore, the spoils which they had collected, the half-dressed meat which they had nearly made ready for their evening meal, and most part of whatever baggage they had with them; the English instantly fled in all the disorder of route and dismay. The Scots eagerly pursued, and in Colbrand's path, and onward to the very gates of Berwick, made a great slaughter among the fugitives. The banner and spear of Sir Thomas Talbot, were brought away as proud trophies of the success of this eventful night*.

SECT. I.
CHAP. VII.
A. D.
1398-1412

OTHER evils still arose to counterbalance whatever advantages were gained in such rencounters with foreign foes. Archibald earl of Douglas and Galloway, who although turbulent and ambitious, had been ever gallantly faithful to the interests of his country, and to the rights of the houses of Bruce and Stewart; died by disease. His son-in-law, prince David, advancing in years; wanting a friend so powerful, a counsellor so faithful as Douglas; and beginning at once to view with jealousy his

* Fordun.—Hollinshed.

SECT. I.
CHAP. VII.

A. D.
1398-1412
Invasion
of Scot-
land by
Henry the
Fourth.

his uncle, the earl of Fife, and to become the object of that uncle's fear and hatred; was exposed to opening intrigues which his ill-managed opposition served but to strengthen against himself, and of which he was to fall, at last, the victim.—Henry the Fourth of England, the murderer and successor of Richard, being now firmly established on the throne, was excited by the persuasions of Dunbar and the Piercies, and by the unwearied hostilities of the Scots, to summon his military vassals, and undertake a grand expedition into Scotland. The march of his land-army was accompanied by a fleet at sea, which coasted along the shore so as to furnish from time to time, the necessary supplies of provisions to the troops. His march was by Berwick, onward to Haddington, and thence to Leith. Edinburgh at that time powerfully garrisoned by troops under the command of the young duke of Rothsay and the earl of Douglas his brother-in-law; was in vain assaulted by the invaders. The whole military force of the Scottish dominions was, in the mean time assembled under the command of the duke of Albany; and advanced as far as Calder-moor, to resist the farther progress of the invaders. In consequence of the discords subsisting between Albany and young Rothsay; or rather probably in pursuance of that policy for the discomfiture of an invasion, which had been now long familiar to the Scots; the duke
of

of Albany advanced not nearer with his forces, ^{SECT. I.} to engage the enemy. But, Henry with his ^{CHAR. VII.} army, having probably consumed all those stores ^{A. D.} which their ships had brought, were now compelled ¹³⁹⁸⁻¹⁴¹² to think of turning their faces homeward. The country was desolate; Edinburgh could not be taken: The Scots would neither fight, nor make their submission. What then could he do, more than had been done by his predecessors? He led his army backward to England, without having inflicted more than some inconsiderable mischiefs upon the invaded country. His retreat was however so performed, as not to be in any considerable degree harassed by the pursuit of the Scots. And, if he gained by the invasion, little military glory, and no permanent advantages; he did not however disgrace his character by sacrilege and barbarous cruelty, such as former invaders had usually exercised. The churches and monasteries were sacred from the violation of his troops. Whoever sought his protection, from among the petty barons, the burghesses, or the peasantry, without difficulty obtained it. The independency of Scotland was as little impaired by this expedition of Henry the Fourth, as by the ridiculous enterprizes of his great-grandfather, Edward the Second*.

BUT Scotland and the family of its monarch, had enemies within their own bosom, whose mischievous

* Fordun.—Hollinshed, &c.

SECT. I.
CHAP. VII.

A. D.
1399.

Prince Da-
vid starved
to death at
Falkland.

chievous efforts threatened irretrievable ruin to thier prosperity. Robert the Third, now old, and still more and more infirm, became daily less and less capable of attention to the functions of government. His brother's power, and with it; his ambition were continually augmented by the exercise of that delegated royalty with which he had long been intrusted. The haughtiness, the imprudence of the prince, his impatience of restraint, and his jealousy of his uncle, rapidly grew with his growing years. He beheld with indignation, while his father's authority was engrossed by the governor. He sought to form a party for Albany's overthrow. But, being incapable of the artifices, the dissimulation, the extended and intricate contrivances which would have been necessary to the accomplishment of such a purpose, against a man of experience, profoundly crafty, and possessed of almost all the efficient power of the sovereignty; he employed only such means as served to betray his hatred, and to disappoint it by alarming his adversary. With this resentment against his uncle, the young prince suffered also the light and giddy passions of untutored, dissipated youth to prevail over his mind and conduct. His mother, the amiable Annabella Drummond, whose maternal counsels had the happiest influence upon his spirit; died at the very season when her authority and advice might have been the most useful to her son. To restrain the

excesses, and regulate the imprudence of the youth, SECT. I.
CHAP. VII. tutors and counsellors were placed about him by his father ; but in vain. He was at the same time furrounded by the spies of his uncle ; who failed not to report to the governor, every rash word and act of the young man, with such aggravations as spies are wont to use, in order to enhance the value of their communications. Even the confidential advisers and friends of David, finding it at last unsafe to attach themselves to a weak and rash youth in opposition to the discerning, crafty, relentless, and almost all-powerful duke of Albany ; began to forsake and betray him. John Remorgene, in particular, a lawyer, was supposed to have first counselled David to seize his uncle's person, and to put him to death in confinement ; and then, finding David wanting in the courage or the wickedness necessary to so bold a crime ; to have for the sake of his own safety, insinuated the same diabolical counsel against the life of the prince himself, into Albany's ear. Albany was less scrupulous. The old and weak-minded King, whose mind was perhaps also poisoned with some vain suspicions of criminal and aspiring views in his son, granted at the instigation of Remorgene and some other such evil counsellors, orders by which the duke of Albany had the satisfaction to find himself authorised to put young David for a time in confinement, and thus to correct by chastisement his tem-

A. D.
1399.

SECT. 1.
CHAP. VII.

A. D.
1399.

per and his manners. The bird was now in the snare of the fowler. David at the suggestion of Remorgeneſey and William Lindſay of Roſſy, had been perſuaded to poſſeſs himſelf of the caſtle of St Andrew's, at this time in conſequence of the recent death of biſhop Trail, occupied only by administrators for the Crown. He was on his way thither, with a few attendants, and unthinking of danger, when the order for the ſeizure of his perſon which had been wrung from his anxious father, was by thoſe very men, executed againſt him, at the immediate command of Albany. He was dragged to the caſtle of St Andrew's; was for ſome days there detained, until Albany and his council then at Culroſs, ſhould determine how to diſpoſe of him; and was, at length, conveyed, in a mean garb, and upon a pitiful horſe to the tower of Falkland, into cloſe confinement. Albany and the young earl of Douglas, with a ſtrong guard to prevent any attempts which might be made to reſcue the royal priſoner; were his conductors from St Andrew's to Falkland. In the tower of Falkland, he was lodged in a ſmall chamber, under the cuſtody of two wretches, Wrycht and Selkirk; who within no long time reported to their maſters and to the world that he had died of a dysentery. The general belief that he had by them been ſtarved to death, at the command of Albany, was, however, much

much more probable. Such was the unhappy end to which young David was hurried by his own folly, and by the guilty ambition of his uncle! So weak was the King, to restrain and to protect his son! So dark and criminal were the intrigues concerted even at the simple and humble court of Robert the Third*!

SECT. I.
CHAP. VII.

A. D.
1402.

THE borderers, in the mean time, Scots and English, harassed one another in continual skirmishes and inroads. Dunbar, earl of March, since his rebellion against the Scottish King, had aided the English to inflict many more mischiefs, and those much more severe, upon the Scots of the frontier counties, than the English themselves could possibly have exercised. March, dishonoured and an exile, was relentless in his vengeance, and unwearyed in his hostilities: the Piercies of Northumberland, especially the impetuous *Hotspur*, were leaders, by their military talents and their passion for unceasing warfare, peculiarly formidable to the Scottish barons who had to oppose them. But, these barons, among whom the chief was the earl of Douglas, who still held the castle of Dunbar, were not negligent to resist, nor slow to retaliate the hostilities of Dunbar and his English confederates. Haliburton of Dirlton, conducted a pillaging expedition against the English, in which he

RENCOUNTERS ON THE
BORDER.

JUNE 22d.

and

* Fordun:—Boeth.

SECT. I.
CHAP. VII.

A. D.
1402.

and his troop successfully advanced to a considerable distance, into the enemy's country, spread devastation wherever they passed, and returned with a large booty, home. Another similar expedition was not long after led by Patrick Hepburn of Hailes, but with different fortune. Hepburn and his company ravaged and laid waste with terrible destruction, those territories of the English, through which they passed, and might have also retreated in safety, had not their leader, contrary to the advice of his friends, protracted the time of their stay for a day longer than had been originally intended. The earl of March and the warriors of Northumberland thus gained time to take arms, and hastened to intercept the spoilers in their return. On Nesbit-more, the Scots found an English force, under the command of March, awaiting their approach. Both parties instantly rushed into conflict: they fought with furious rage, with steady firmness: the event was long doubtful, yet seemed at last about to be unfavourable to the English. Just then came up George Dunbar son to the earl of March, with a troop of thirty horses, and on each two riders, to his father's aid. The seasonable appearance of this reinforcement determined the victory against the Scots. Hepburn himself and not a few of the bravest of his companions fell: two knights of the name of Haliburton, two of the name of Cockburn, with Robert Lawder of the

the Bais, and many gallant esquires, were made prisoners*.

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1402.

SUCH an overthrow was not to be long left unrevenge'd by the Scots. The earl of Douglas, now possessing, next after the duke of Albany, the chief authority in the kingdom, was impatient to distinguish himself by leading some grand enterprizes against the English. In his hands were the castles of Edinburgh and Dunbar ; almost all the military force of the border-counties, was ready to obey his summons. Albany encouraged his ardour ; the flower of the young nobility hastened to share the glory of a grand expedition, upon which Douglas, at the command, or with the approbation of the King and the governor, prepared to go. This host proceeded, rejoicing, upon their enterprize. The bordering parts of Northumberland were without protection against their ravages : and they advanced with an exulting, destroying career, as far as Newcastle. But, Dunbar and the Piercies in the mean while, mustered their forces, and awaited the return of the spoilers, at Milfield. Ascending the heights of Homildown, on their way homeward, the Scots, with sudden confusion, there beheld the English host, ready in array, to intercept their march. The English were moved with uncontrollable fury, at sight of the spoilers. Yet, Dunbar, with difficulty, persuaded the impetuous Hotspur

* Fordun. XV. 13, &c.

SECT. I.
CHAP. VII.

A. D.
1402.
Battle of
Homildown.

Hotspur not to risk the danger of leading his spearmen up the declivity, to attack the Scots on the heights; but only to direct the English archers with their long bows, to gall the Scots from a distance; since the Scots were either unarmed with bows, or had bows of which the range was far from being so wide as that of the bows of the English. His counsel was followed; the Scots, unwilling to forego the advantages of their position, and to descend into the plain, were for a while annoyed with terrible effect. At last, the brave Sir John Swinton, unable longer to endure the attack without resistance, called, with a loud shout of rage, upon his fellow-soldiers, to follow him down the declivity, where, if they should fall, they might at least not fall unrevenge. His voice was heard with sympathetic enthusiasm by all around; insomuch that Adam Gordon of Gordon, one of the bravest men in the host, and until now, the mortal foe of Swinton; now eagerly knecled before his bold adversary, intreated his forgiveness, and requested the honour of being invested with the ensigns of knighthood by Swinton's hands, as by the hands of the bravest man within the isle. No sooner had this enthusiastic reconciliation between Swinton and Gordon passed, than these two knights with an hundred brave comrades, who eagerly joined them, rushed down into close combat with the English, in which, after exerting themselves with incredible valour, and making

ing a terrible havock among the enemy, they were themselves at last all slain. After their fall, the rest of the Scottish army was easily broken and scattered in flight. Great was the slaughter of the vanquished Scots; and a multitude were made prisoners. Douglas himself, the leader of the expedition; Mordac Stewart, eldest son to the duke of Albany; the earls of Moray and Angus; with a very great number of distinguished barons; and indeed all the flower of the Scottish host, who outlived the battle, were taken captives*.

SECT. I.
CHAP. VII.
A. D.
1402.

PIERCY ardently pursued his victory into Scotland; and while the Scots amid their first consternation, were incapable of effectual resistance; ravaged the counties contiguous to the border, made himself master of several castles of inferior strength, and laid siege to that of Cocklaws in Teviotdale. Assailing this castle with the proper artillery, and with all that impetuosity which he had exercised in the field, he soon made such an impression upon it, as convinced the garrison, that, if not relieved, they must be quickly brought to a surrender. The fears of the garrison on the one hand; and on the other, their gallant defence which in spite of all Percy's efforts, retarded beyond his expectation, the final success of the siege: These circumstances together, disposed both parties to desire a short truce.

* Fordun.—Hollinshed.

SECT. R.
CHAP. VII.

A. D.
1402.
Hotspur
turns from
the Scot-
tish wars
to a rebel-
lion a-
gainst his
sovereign.

truce. A truce of six weeks was agreed upon, under this condition, that if the garrison were not within that time relieved by aid from Scotland, the castle should then be delivered into the hands of the English. Piercy's ambition and resentment, in the mean time, drove him into rebellion against his own sovereign; and the prosecution of the siege of the castle of Cocklaws was forgotten. The duke of Albany mustered an army, marched southward against the English, while they were no longer ready to oppose him, relieved the garrison of Cocklaws within the term specified in the truce, and recovered all those places which had been yielded to Piercy, in consequence of his victory at Homildown. These successes of Albany in part consoled the nation for the late disaster*.

MEANWHILE, the Piercies had taken arms, and marched in hostile array against their king. Not many years had elapsed, since the earl of Northumberland, with his brother and sons, had been the first to join the duke of Hereford in his attempts against King Richard, and throughout the enterprize, the most ardent to push it to its full accomplishment in the deposition of Richard, and the exaltation of Henry upon his throne. Honours, offices, estates bestowed with royal liberality, had rewarded those seasonable and guilty services of the

* Fordun.—Hollinshed.

the Northumbrian chiefs. - But, from benefactors, SECT. I.
CHAP. VII. they knew not how to descend to the humble submission and obedience of subjects: remembering, A. D.
1402-20. that but for them, Henry had not been a King; they seemed to fancy, that he ought to reign only for the purpose of gratifying their wishes, and making himself subservient to their interests: he could not grant every thing, nor could they endure refusal. A mutual coolness soon ensued between those who had been once, most closely knit together: Henry became jealous of the greatness and pride of the Piercies; and they became suspicious of his designs against their safety. Their successes against the Scots; his severity to some of their relations; and at last his demand of the prisoners they had taken at Homildown, and Hotspur's angry refusal; brought matters to an extremity between those potent barons and their sovereign; and drove *them* into open rebellion. No sooner had the Piercies taken their resolution than they conciliated the alliance of their Scottish prisoner, the earl of Douglas; relinquished the prosecution of hostilities against the Scots; by correspondence with Owen Glendower, fomented a rebellion in Wales; solicited, and not without success, many of the other northern English barons to join them; and then with one army of about twelve thousand men, which was to be followed by powerful reinforcements, young Percy marched to meet his

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SECT. I
CHAP. VII.

A. D.
1402-20
The rebellion of the
Piercies
defeated.

King in battle at Shrewsbury. A bloody battle was there fought, in which Douglas fighting on the side of Piercy his former antagonist, distinguished himself by acts of matchless valour; Piercy fought with the most heroic intrepidity; and by both armies the contest was obstinately and equally maintained, till Piercy fell, mortally wounded by an unknown hand, and his followers then confounded by his fall, and thinking it vain to renew the combat; gave way, and fled on all hands. The rebellion was prolonged by some subsequent attempts of the old earl of Northumberland and the other confederates. But Henry at last triumphed over all his rebel-barons, restored his authority throughout all the counties of his kingdom, and drove the surviving Piercies to seek refuge in Scotland*.

Influence
of these events on
the condition of the
Scots.

THIS civil war in England greatly weakened the strength of the English on the borders; and notwithstanding the captivity of so many of the Scottish nobles, virtually restored to the Scots those advantages which they had lost by the unfortunate event of the battle of Homildown. While the Piercies sought aid out of Scotland against their sovereign; Henry was glad to pacify the hostility of the Scots by a truce which might for a time save the northern districts from their inroads. The

Scots,

* Hollinshed:—Fœdera VIII. 289. 292. 313, 314. 320. 322, &c.—J. Major. Lib. VI. C. 8.

Scots, to recover some of their nobles from captivity, were not unwilling to spare the English in the season of their intestine calamities.—The fall of the Piercies was fortunate to the Scots: for, that greatness to which they had arisen, had proved a bulwark to England, against Scottish invasion; and by their ruin, this bulwark was beaten down*.

SECT. I.
CHAP. VII.
A. D.
1402-20.

ROBERT the Third had many years since sunk into all the bodily infirmity, and the weakness of mind, incident to extreme, old age; although he had not yet attained to that very advanced term of life. His parental affections survived the vigour of his understanding. The unhappy death of his eldest son, David, left a deep and afflicting impression upon his mind. He lamented the follies of the unfortunate youth; bitterly reproached himself for having so easily yielded to put him into the power of his enemies; regarded Albany with abhorrence and dread, as the enemy of the lives of his children, the murderer of his son, and yet too potent to be punished, or even to be removed from that administration of the government which he had so long exercised. James, the King's second son, still survived, but was too young to guard his own life against his uncle's arts; if Albany were indeed disposed to open for himself, access to mount the throne, by the murder of his brother's child. Trembling under these fears, Robert determined to send

* Rædera VIII. 321.

SECT. I.
CHAP. VII.

A. D.
1404-40.

Prince
James of
Scotland
taken
prisoner
by the
English.

send the prince abroad to France, where he might receive the education befitting his high hopes, and might remain in safety at the court of a faithful ally, until he should attain the full maturity of manhood. It was in the prospect of his own speedy dissolution, that Robert contrived this scheme for the safety of his son ; for he was willing rather to abandon the kingdom for a while after his decease, to the sway of his brother, than to leave the life of its heir also at his mercy. At the command of the King therefore, but without his brother's knowledge, Sinclair, earl of Orkney, with a seditable number of attendants, prepared to conduct the prince to France. A company of gallant Scottish gentlemen escorted them to the Bass, where they for some time waited an opportunity to sail. They set sail ; but alas ! before they could begin to hold away from the British coast, were unfortunately intercepted by an English ship of war, and in their vessel, were with their prince, carried, as prisoners, into Flamborough-Head*.

THE news of the captivity of his son, quickly reached the ears of good King Robert. A truce at this time subsisted between England and Scotland. But, for such a prize as the Scottish prince, the English monarch could without scruple violate his plighted faith. Robert, already near to the close

* Fordun. L. XV. C. 18 :—J. Major. L. VI. C. 8 :—
Buchanan. L. X :—Lesh. res. gestz. P. 257.

close of his life, could not support the idea of the frustration of his parental care, and the perhaps perpetual captivity of his only son. He languished for a few days, and then expired, in his castle of Rothfay in the isle of Bute, in the year one thousand four hundred and six, the sixteenth of his reign. Bodily infirmities, and the indolence of his disposition had withdrawn him from almost all public affairs, since a period even prior to his accession to the throne. During his whole reign, the government was administered almost exclusively by the duke of Albany and the earls of Douglas. He was tall, stately, and graceful in his personal form. His manners were gentle and amiable: so far as he was at all capable of resolution and exertion; his conduct was humane and virtuous: but the feebleness of his character, hindered his virtues from being eminently beneficial to his kingdom*.

SECT. I.
CHAP. VII.

A. D.
1406-20.

* Fordun. L. XV. C. 19.

CHAP.

SECT. I.
CH. VIII.

CHAPTER VIII.

A. D.
1406-23.

From the death of ROBERT the THIRD, to the return of JAMES the FIRST, from his captivity in England.

State of
the go-
vernment
after the
death of
Robert
the Third.

NO change in the administration of the Scottish government, ensued from the death of the King, while his son and heir was absent in captivity. Albany continued to exercise without controul, that authority which had long been in his hands: the nobles acknowledged him regent of the kingdom, and professed to obey him, but lived every one notwithstanding, on his own estates, in a condition of almost entire independence: the distant clans of the Northern Highlands and the Hebrides, still contemned the powers of government, as they had done before: with the English, a war of skirmishes and incursions continued to be still, from time to time, carried on*.

Capture
and demo-
lition of
Jedburgh
castle.

AFTER various enterprizes of mutual hostility, in which neither nation gained any important advantage; the Scots at last made themselves masters of the castle of Jedburgh, which had remained in the possession of the English, ever since the unfortunate battle of Durham. It was dismantled and

* Buchanan. L. X. &c.

and levelled to the ground; a labour which could not be effected without great difficulty, on account of the massiness of its walls, and the almost rocky cohesion of the cement with which they had been built. The restoration of the forfeited earl of Dunbar to his estates and honours, soon after followed. He had made his peace with Archibald earl of Douglas, the most potent of his enemies: The prince whose marriage had offended him; the King against whom he had risen in rebellion, were no more: Albany was desirous to conciliate to himself and his own family as general favour as possible among the nobility: And the services of the Dunbars and their adherents were still greatly wanted for the defence of the eastern marches. Within no long time after the Dunbars were restored to the possession of the earldom and castle of Dunbar; Fastcastle was recovered out of the hands of the English by a masterly and boldy executed stratagem of Patrick Dunbar, the earl's son. Holden, its captain, who had long annoyed the Scots with singular activity both by sea and land, was fortunately made prisoner*.

SECT. I.
CH. VIII.
A. D.
1406-27.

A TEMPEST arising from the northern extremity of the island, soon after threatened to spread devastation far and wide over the Scottish territories. Donald, lord of the Hebrudian Isles, claiming the earldom

* Fordun. L. XIV. C. 21.

SECT. I.
CH. VIII.A. D.
1406-23.Battle of
Harlaw.

earldom of Ross in inheritance, had his claims refused by the Regent. He resolved to right himself by force of arms, took possession of Ross-shire, and then descended with an army of ten thousand men, levied out of Ross and the Hebrudæ, to invade and ravage the districts lying south and east from the territories of which he was lord. At Harlaw in Marre, he was opposed by the earl of Marre, the sheriff of Angus, and all the troops which they could assemble to oppose the invasion. A desperate and bloody battle was there fought, with terrible slaughter on both sides, but ending in the defeat of the invaders. The Regent himself having assembled a numerous army, soon after pursued Donald to his castle of Dingwall in Ross-shire; took that castle in the end of autumn; and in the ensuing spring returning with his forces to perfect the object of the expedition, reduced the island-chieftain at last to entire submission; compelling him to do homage, to swear allegiance, and to give hostages*.

DURING the reign of Henry the Fifth, who had now succeeded his father, Henry the Fourth, on the English throne; France was again the great theatre of the military adventures of the English. The unhappy alienation of mind under which the French King, Charles the Sixth, occasionally laboured;

* Fordun. XV. C. 21 :—J. Major. Lib. VI. C. 10 :—Buchanan. Lib. X.

boured ; and the dissensions with which his nobles<sup>SECT. I.
CH. VIII.</sup> distracted the court and kingdom ; invited Henry<sup>A. D.
1406-28.</sup> of England to seize so favourable an opportunity of renewing those claims which Edward the Third and his brave son the Black Prince had fruitlessly, although gloriously, pursued, at an immense expence of blood and treasure. On the Scottish confines, therefore, the English unwillingly suffered the usual hostilities to languish. The Scottish Regent, and the other nobles of the kingdom, amid their anxiety to recover from captivity their sons and relations whom the defeat at Homildown had left in the hands of the English ; were willing to pause, for a time, from that eternal warfare which the Scots seemed to be doomed to exercise against their southern neighbours. France solicited the aid of<sup>Inter-
course
with Eng-
land.</sup> the Scottish warriors, and fondly received those unquiet and martial spirits from Scotland, who, being capable to enjoy life only amid the ardour and the perilous activity of war, impatiently hastened to seek those military enterprises abroad, from which they were for some moments withheld at home. But, the French were themselves too completely occupied in their own country, to send any forces into Scotland for the purpose of exciting the Scots to the infraction of their truces with the English, and of aiding them in the invasion of the English territories. Nay, the young King of the Scots himself, however careless his uncle, the Re-

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SECT. I.
CH. VIII.

A. D.
1406-23.

gent, might be of his personal welfare, was, nevertheless, from the consideration that the eyes of all the Scots were turned towards him, a pledge in the hands of the English monarch; possessing which, he might assure himself, that no very formidable hostilities would be, in the mean time, achieved by the Scots against England. Some petty acts of warfare were, however, mutually exercised, in the course of this period, between the two rival nations. Douglas liberated from his captivity; and having obtained the earldom of Annandale, in exchange for the castle of Dunbar, surrendered to its ancient lord; made an inroad into the western counties of England, and burnt the town of Penrith. The injuries of this inroad were soon again retaliated by the English, in an expedition in which they wasted Annandale and Nithsdale, and destroyed, by fire, the town of Dumfries. Haliburton of Fastcastle made himself master of Werk-castle in Northumberland, by a sudden stratagem. But, Sir Robert Ogle, with a considerable English force, coming, soon after, against it, sent some of his men to scale the walls upon one side, while he himself amused the Scots within, with a parley on the other; and having thus treacherously recovered the castle; put to death all the Scots within it, and threw their dead bodies ignominiously from the walls. By ransom or by exchange, most of the Scottish nobles whom the battle of Homildown had made prisoners

ers to the English, were, at length, recovered to the service of their country. Murdac, the Regent's eldest son, was liberated in exchange for Henry Piercy the son of Hotspur, whom his grandfather had brought into Scotland for refuge from the wrath of Henry the Fourth; who had been detained in Scotland a prisoner, yet at the same time liberally entertained, and carefully educated; and whom the returning favour of Henry the Fifth now recalled into England for the purpose of restoring him to the honours and possessions of his forefathers. An effort was made by the earl of Douglas, at the head of one division of a numerous army, to wrest the town and castle of Roxburgh out of the hands of the English; while the Regent himself, with the other division of the same army, laid siege to Berwick. But, by whatever means, both these attempts were frustrated, and the leaders and their followers returned home with the disgrace of having atchieved nothing worthy of the preparations they had made, and the expectations which they had excited*.

SECT. I.
CH. III.
A. D.
1406-23.

It was, comparatively, a period of tranquillity and rich plenty which the Scots, in the mean time, enjoyed at home. Free from those invasions which had harassed their country in the days of Robert and of David Bruce; they could feed their flocks and

* Fordun. XV. 23. 31:—Fædera, VIII. 345. 457. 635:—Hollinshed, 545, &c.

SECT. I.
CH. VIII.

A. D.
1406-23.

Intestine
disturb-
ances.

and herds, plough their fields, and inhabit their cottages in peace and safety. Excursions, inroads, and skirmishes, upon the borders could not depopulate and lay waste the land, as those invasions had done, which penetrated into its interior parts, and almost to its remotest northern extremities. Epidemical diseases, at times, cut off the people in multitudes; tempests occasionally destroyed the hopes of the harvest; famine added its evils in some seasons, to the ordinary miseries of rude life; But, as in the days of the two former monarchs of the Stewarts race, so in the period while Albany was Regent, and his nephew James a captive in England; wealth seems to have been continually augmented, and the condition of social life improved in Scotland. Yet, frequent feuds still arose among the clans, and the families of rival barons. People who knew no trade but war, were ever ready to draw their swords; and while they fancied that they well knew how to right themselves when injured, constantly scorned the interference of public justice for the settlement of their differences. A remarkable instance of this spirit was exhibited in the murder of Graham earl of Strathern, by his vassal Drummond of Concraig; who, in violation of friendly vows which had been recently exchanged between them, and of the ties of brotherhood contracted by the marriage of Drummond to the sister of Graham; basely assassinated the

the earl at the town of Crieff in Strathern. In the distant Highlands, private wars were incessantly waged, and rapine and assassination were still mutually exercised between rival clans.. In the year fourteen hundred and six, a famous engagement of this nature, was fought on the confines between Ross and Sutherland, by a band of the Mackays from Sutherland, pursuing a company of the Macleods of Lewes, who had spoiled their country. The widow of Mackay being also the sister of Macleod of Lewes, was unkindly used by his brother whom he had left tutor to his children. Her brother Macleod coming to visit her and redress her wrongs, spoiled a wide district in Sutherland, chiefly the property of the Mackays, in revenge for the injuries done to his sister. He was pursued on his return towards his own isle by the men of Sutherland. A desperate conflict took place; Macleod with his company were slain; and the Mackays returned exulting in the destruction of their foes, and scornful of all efforts which the governor and his officers might be excited to make for the punishment of the disorderly turbulence of either the victors or the vanquished*.

OTHER discords were, in the same period, excited in Scotland, by schisms in religion, and by ambitious contests among the princes of the Romanish

* Fordun :—Conflicts of the Clans.

SECT. I.
CH. VIII.

A. D.
1406-23.

mish hierarchy. The conquests of the barbarians, by whom the Roman Empire was overthrown, long suspended by their malignant influence, every thing like literary and scientific pursuits, even in the convents of the clergy, the only schools of learning which were left in Europe. It was not until those barbarians had been universally converted to Christianity ; till after Charlemagne had again comprehended Germany, France, and Italy, in one empire ; till the Romish hierarchy had diffused itself in full vigour over all the western world ; till the crusades had renewed the intercourse between the east and the west ; that learning and science began to be revived in the schools of the Romish monasteries. They were revived in the forms of theology, amusing herself with disquisitions into the nature of God, angels, and sinful man ;—of casuistry and ecclesiastical jurisprudence, defining the different measures of crimes and atonements, and maintaining and exercising the authority and privileges of the church ;—of dialectical logic borrowed from the Arabians, and the modern Greeks ;—of legendary lore, commemorating tales of visions, miracles, combats, enchantments, and whatever else could excite wonder, or impose upon credulity ;—of scriptorial diligence, multiplying the copies of books, which had been preserved from antiquity, or recently composed ;—of civil law drawn from the recovered collections

collections of Justinian, and eagerly cultivated for the improvement of the policy of modern Europe. That stability of existence which the kingdoms of Europe, and the hierarchy of Rome gradually acquired, soon aided and protected this revival of science and learning. The necessity of employment in the many monasteries in which such a multitude of ecclesiastics were secluded from intercourse with the world, drove many among them to seek in the pursuits of literature, a relief from the tedium of indolence and solitude. They meditated and disputed, and wrote, and preached, until they began to strike out some sparks of genuine light, amid the thick mental darkness in which they were immersed. Some of their first discoveries were naturally in that theology in which they were more conversant than in any thing else. It began to be discerned that religion had degenerated during the preceding ages, into gross and absurd superstition. The Albigenses in France; in Germany, more lately, John Hufs and Jerome; and in England, the famous Wickliffe; had begun to protest against the usurpations of the hierarchy, and the absurdities of the Romish superstition. Wickliffe himself had been suffered to live and die in peace. But, the simplicity of the gospel to which he strove to reduce the doctrines and the worship of Christianity, was too inconsistent with the prevalent forms and opinions, not to

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alarm

SECT. I.
CH. VIII.

A. D.
1406-23.

SECT. I.
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alarm and enrage the clergy. His followers were eagerly persecuted; their heretical opinions were soon connected with crimes against their sovereign and the state; the sincerity of their faith was tried, and their opinions were in vain endeavoured to be extirpated at the stake, the block, and the gibbet. From England, even amid the wars which divided the two nations, the heresy of Wickliffe found its way into Scotland. In Scotland, as in England, the zeal of the clergy soon sprang, with eager fury, to suppress it. James Resby, an ecclesiastic, originally from England, having, with great applause, taught in Scotland, the doctrines of Wickliffe, and, in particular, that the Pope was but a *pretended*, vicar of Christ; and that none but a man of holiness in heart and life, could be either Pope or Vicar of Christ; was summoned before an assembly of the clergy, convicted of Lollardism, and condemned to die for his heresy. This trial was remarkable, as being the first endeavour made in Scotland, to extinguish the kindling flame of religious reformation, which was not yet to break forth with any strong ardour. But, it served not to destroy the lurking seeds which Resby's preaching had sown; for these were fondly cherished among the people, and continued to be preserved, till the superstitions of Rome were more completely ripened for their overthrow*.

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* Fordun. XV. 20, &c.

NOR was this the only important ecclesiastical transaction that took place in these times. The University of St Andrew's, was, in the year one thousand four hundred and ten, founded by the venerable bishop Wardlaw. Missionaries sent from the general, ecclesiastical Council of Constance, and from the two rival Popes, Benedict and Martin, of whom the former was deposed, the latter exalted by that council; came to engage the Scots to take part in a quarrel which had already divided almost all the rest of Europe. Albany himself was inclined to adhere to the cause of Benedict, who had been before revered and obeyed, as Pope. At the command of the Regent, Robert Harding, a master in theology, undertook to maintain the cause of Benedict. Against Harding, and in support of the authority of the Council of Constance, and the validity of Martin's election, the whole University of St Andrew's, arose with one voice. The clergy and laity of the kingdom, were divided into two parties. An assembly of the national church met at Perth, to decide in a matter of such magnitude. Harding there strenuously maintained that cause of which he had already assumed the defence: He was no less vigorously opposed by a monk of the name of Foggo. His positions were at last condemned: The University of St Andrew's, the Council of Constance prevailed; and the Scots transferred their veneration from Benedict to Martin*.

SECT. I.
CH. VIII.

A. D.
1406-23.
University
of St. An-
drew's
founded.

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WHILE

* Fordun. XV. 24.

SECT. I.
CH. VIII.

A. D.
1406-23.
Affairs of
France.

WHILE these transactions passed in Scotland; Henry the Fifth of England was, in France, pursuing a career of victories, more glorious even than those which his great-grandfather Edward the First, and his grand-uncle the Black Prince, had achieved in the same land. Many gallant Scots had already repaired, with heroic eagerness, to the aid of the ancient allies of their nation, and had signalized themselves in the war by many illustrious deeds. But aid more powerful was yet wanted to avert the fall of the French monarchy. At the earnest request of the King of France and his ministers, the Scottish Regent dispatched his own second son, John, earl of Buchan, with young Archibald Douglas, earl of Wigton, at the head of seven thousand chosen men, to wreak their hatred against the English in that foreign land, and, if possible, to frustrate Henry's ambitious hopes of conquering France. Henry had, however; partly by the incredible successes of his arms, particularly in the famous battle of Azincour, partly by the disloyalty and dissensions of the French nobles; reduced the French King to accept such a peace as he chose to dictate, before the French could derive any effectual support from the aid of their Scottish allies. Yet, the Dauphin, the eldest son to the King of France, finding himself not only excluded from the benefits of the treaty, but by its conditions wholly bereft of his expected inheritance, still prolonged the war even against

hi-

his father's ministers as well as the English, with desperate, and, for a while, unavailing efforts. To him the succours of the Scots were as aid from heaven. He eagerly engaged them to espouse his cause, honoured their chiefs with the highest commands in his armies, and the prime confidence in his councils, and began fondly to hope that the English must yet yield to the Scots, by whom they had been accustomed to be conquered. Nor were his hopes disappointed. Henry the Fifth dying prematurely by disease, the same dissensions and division of counsels which had ruined the affairs of the French King, now conspired to subvert the prosperity of the English arms, during the minority of Henry the Sixth. At this very period, the powerful aid of the Scots enabled the French to make new efforts, of which they could not otherwise have been capable. The tide of success was turned; and in spite of the most heroic achievements by those veteran warriors who had fought under Henry the Fifth; the English became every day more unfortunate; and their victories in France were rapidly blasted by a reverse similar to that which had still overthrown their power in Scotland. At Beaugé, Stewart, Douglas, and the Scottish troops under their command, with some detachments of French soldiers, obtained a signal victory over the English, by which the aspect of the affairs of the French, was considerably improved. At Verneuil, however, an army

SECT. I.
CH. VIII.A. D.
1456-55.Battles of
Beaugé
and Ver-
neuil.

of

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of fourteen thousand men, of whom one-half were Scots, and which was led by Stewart and Douglas, with some French noblemen serving under them; after performing the important service of capturing that town; risked an engagement with an English army equal in numbers; and were totally routed with a great loss; though not without performing many acts of the most heroic valour. That same superiority of the English archers which had determined the event of the battle of Homildown, obtained them also the victory at Verneuil. Stewart, and the earl of Douglas, fell in the action: many of their valorous followers shared their fate. Such a misfortune seemed, for a time, to threaten absolute ruin to the cause of Charles. But, the famous Joan of Arc soon arose to inspire the French with new ardour in defence of their country's independency; the survivors, and the new reinforcements of their Scottish allies, were still the foremost to brave every danger, to encounter every difficulty: And as the conquests of the English continued to be wrested from them, piece by piece; and as the young King of France proceeded to re-establish himself still more and more firmly on the throne of his fathers; the French still gratefully remembered that, had it not been for the seasonable aid of the Scots, the English might have, at the first, so effectually fixed their authority over vanquished, bleeding France, that all future efforts to rescue it

it from their oppression, should have been fruit-
less*.

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IN Scotland, in the mean time, there were car-
ried on, hardly any remarkable transactions, mili-
tary or civil. The absence of the flower equally of
the Scottish and of the English warriors, preclud-
ed the possibility of any great military enterprises
on the marches. The captivity of James was still
prolonged; while his uncle was little anxious to
ransom a nephew, whose return into his own coun-
try, must divest the Regent of his office and power;
and the English conceived it useful to unnerve the
hands and disconcert the counsels of the Scots, by
detaining from them a young monarch who had
already appeared to be endowed with the most
distinguished talents for the arts of both war and
peace. In vain, however, had the English attempted
to detach the Scots from fighting in support of their
French allies, by persuading James to impose upon
the earl of Buchan and his companions, his com-
mands to that purpose. The Scots indignantly re-
fused to yield such obedience to a King who was the
captive of their enemies.—At length, in the year
one thousand four hundred and nineteen, died Ro-
bert, duke of Albany, earl of Fife and Menteith,
and governor of Scotland. Since the period al-
most

Death of
the duke
of Albany.

* Fordun. XV. 31. 33.—Hollinshed, Henry V. and VI.
to P. 588, &c.—J. Major, Fo. 127.

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most of his father's accession to the throne, the administration of the government of the kingdom had been in his hands. More politic, more active, more capable of decision and energy, than either his father or his elder brother; he had approved himself, during all this time, the main support of the fortunes of the house of Stewart. To his nephew David, his conduct was perhaps unjustifiably treacherous and cruel. But, the young man's follies had already lost to him the favour of the nation; his dreaded intentions against the power and personal liberty of his uncle were either to be prevented, or to be tamely suffered to take effect; and the situation in which the duke of Albany, at that time, stood, in regard to the family of his brother, and the hopes of the throne, was one above all others fitted to tempt a man of wavering virtue, to the dark crimes of ambition. Whatever his purposes when he cast young David to perish by famine; whatever his brother's fears, when he secretly sent young James out of the kingdom: Certain it is, that Albany from the departure and captivity of James; whether repenting of the effects of his guilty ambition, or believing that he had done enough to secure to his own sons the succession to the royalty; did not vigorously follow out those views which he had once been suspected to entertain. He administered the government; he left James to languish in captivity; but he

he took no other measures to transfer the Crown to himself and his sons. Albany was ever a favourite with the nation, over which he ruled. The stately form of his father and brother, the same pleasing features, in his old age made more venerable by snow-white hairs, graced his mind with an exterior aspect, not unbecoming the exaltation of sovereign command. His temper was gentle and mild; his manners courteous and affable; that dissimulation which is often accounted among politicians, equivalent to talents and virtues, was rather a prominent feature in his character: Crimes and disorders which he had not power to punish or restrain, he was accustomed seemingly to overlook, until the season arrived when the energies of government could be effectively exercised against them. In this age, when boundless hospitality to their vassals and retainers, was esteemed the first pacific virtue by which the character of a prince or great baron could be adorned; Albany was hospitable, and splendidly liberal in his expences, above every contemporary Scottish baron. He died at a good old age, having survived beyond the term of eighty years. He was buried at Dunfermling in the usual repository of the remains of persons belonging to the family of the Kings of Scotland. In addition to the other excellencies attributed to his character, it is related, that his abilities shone in conversation and debate; there was in his words a

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Admini-
stration
of Mor-
dac.

charm of cheerfulness and inoffensive wit, which made wisdom flow from his lips, mended by the graces in which he arrayed it*.

To Robert duke of Albany, his eldest son MORDAC succeeded in the vicegerent government of the kingdom. But, the reins of government which had been exceedingly slackened in the hands of Robert, seem to have dropped almost entirely from Mordac's grasp. Before his father's death, Mordac had already passed the prime of his faculties and of his age. His talents had never equalled those of his father. The nation became impatient of the sway of the family of Albany, and almost universally longed for the return of their young King out of his captivity. In respect to intercourse with France, Mordac pursued the same policy, and exercised the same steady faith which his father had exercised. New reinforcements were sent to fight the battles of the French against the English; new adventurers were encouraged to repair in search of distinction in arms, to that theatre of danger and of martial glory. But, in the administration of the domestic government, Mordac soon became altogether contemptible. He had three sons, Walter, Alexander, James; boisterous, passionate, imprudent young men, who scorned the feeble character of their father: thought themselves to be, in

* Fordun. XV. 37, &c.

in consequence of their relation to the Crown, ^{SECT. I. CH. V. IL} above all law and restraint; yet reflected not, that the elevation of their rank necessarily imposed ^{A. D. 1406-23.} upon them duties proportionately arduous and important: who aspired to exclude the rightful prince from the throne from which he was now withheld by captivity; yet disdained to practise those active and popular virtues which might perhaps have reconciled the nation to their usurpation of his rights. Throughout every district of the kingdom too, the same licence prevailed, as within the governor's family: the order of law was slighted and violated, because its sanctions could not be enforced. The chieftain of the Hebridian Isles disregarded the authority of the Scottish Regent. While the flower of the noble youth, and even the most eminent from among those of maturer years, were absent in France: there was none at home, whose personal gravity and influence might have happily supplied what the Regent wanted, to support the dignity of the law and of the kingly office. The bands of society were loosened; and that general disorder which had preceded the æra of the accession of Malcolm Canmore, seemed to be fast returning*.

IN these circumstances, the eyes, the hopes, the wishes of all the Scots, were turned with one accord towards England, and their captive prince. ^{Mordac recalls James from captivity.}

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* FORDUN. XV. 37 :—Major. Lest Buchanan.

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It is related, perhaps not so much in certain, unquestionable truth, as because some such striking anecdote might be easily and naturally connected with the circumstances ; that Mordac was at last moved to open a negociation for ransoming his sovereign from captivity, particularly by one act of singular insolence with which this weak and imprudent father was abused by his eldest son. The matter was a trifle, although the passions on both sides were furiously high. Mordac had a favourite falcon ; and in this age, such birds were among the most costly objects of the sportive amusements of the great. Often, but still in vain, had his eldest son, Walter, begged the favourite bird from the trifling old man. At last, the ungracious youth, resolving that his father should not himself long enjoy what he would not bestow upon him, snatched the falcon from his father's hand ; for it was usual to carry these birds about, perched upon the fist of the owner ; and twisting about its neck, put it to death, before Mordac's eyes. This was not to be borne by a father of Mordac's cast of mind. He vowed, that instant, to bring home James out of captivity, whose return would at once disappoint the hopes, and restrain the insolence of this rebellious son. The angry resolution of the Regent, concurring fortunately with the earnest desire of the people, was eagerly encouraged by the most eminent barons, who had access to his councils.

cils. An embassy was quickly dispatched into England, for the purpose of negotiating the release of the young Scottish King. Happily for the success of their negotiation, the ministers who now in the minority of Henry the Sixth, conducted the government of England, were already well inclined to listen to any reasonable proposals for the ransom of James. While their captive, he possessed no authority among his own subjects; could not hinder the Scots from fighting under the banners of France, to save that sinking state; could not bring a single county of Scotland to submit to the immediate or paramount dominion of the English Crown. On the other hand, having been liberally entertained in England, having married a wife who was allied to the English sovereign, having adopted the manners of the people, and even acquired a local partiality for the very country; it might be that James, if set at liberty, and restored to the throne of his fathers, would, like his predecessor, David Bruce, continue ever after the fast friend of the English. James himself so behaved as artfully to encourage these fond expectations in the minds of his hosts. For the sum of an hundred thousand merks, partly paid, and partly promised, under the security of hostages, the English liberated James from the tedious, but not unuseful captivity, in which he had so long lived among them.

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them. He returned home, without having trammelled himself in any such engagements, open or secret, as those which had fettered the hands of David Bruce in the latter years of his reign, and had made one of the most amiable of princes and of men, odious to a great part of his own subjects*.

* Fordun. XVI. 1 :—Fødera, &c.

BOOK

BOOK IV.

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SECTION II.

History of the LABOURS, KNOWLEDGE, and ENJOYMENTS of the SCOTS in the FOURTEENTH and in the beginning of the FIFTEENTH century.

How slow the progress, how almost imperceptible to the eye of the contemporary observer, are the fluctuations of science, industry, arts, and manners, in any country : They are as the changes on the face of nature, as the alterations in the familiar scenes of private and domestic life. The hill which bounds the prospect from the windows of my ordinary dwelling, the wood that shelters it behind, the river which meanders down the bordering vale, the ragged wild shrubbery scattered over the declivities, seem to my eyes to be still the same to-day as they yesterday appeared, to frown on each returning winter with the same desolation and gloom, to smile, each succeeding spring, with the same laughing bloom and verdure, as on the last. Such is the seemingly unchanging aspect which the scenes of nature present to the eye of him who constantly lives within the same narrow space, and views still the features of one landscape with the same

BACT. II. took place in the period intervening between the
A. D. age of Scipio, and the age of Augustus, than the
330-1485 alterations which were slowly accomplished between
 the æra of the expulsion of Tarquin by Brutus,
 and that of the overthrow of Hannibal at Zama, by
 Scipio ! The Greeks for three hundred years after
 their settlement in the country which they were to
 render so illustrious, remained buried in the misfe-
 rable obscurity of barbarism : But the materials
 were, in the mean time prepared to catch the
 flame : the Persian invasion struck a kindling
 spark through the mass ; and ardour, and light,
 and splendid radiance sprang forth out of darkness,
 and with augmenting glory, continued still to glow
 and shine, till they had effused an illumination that
 was long to enlighten the world. The changes of
 fifty years subsequent to the Persian invasion, were
 more than equal to those of all the three hundred
 which preceded it. It is so likewise in the history
 of our own country and nation. The most remar-
 kable rapidity of change in its opulence, arts, and
 manners, will meet our observation when we shall
 come to contrast the middle of the seventeenth,
 with the end of the eighteenth century. Yet even
 in the progress of the fourteenth century, many
 were the alterations on the aspect of civil life, in
 Scotland, of which the contemplation cannot fail
 to be interesting, amusive, and instructive.

I. LIT.

I. LITTLE, however, was the external aspect of ^{SECT. II.} the country, altered, during the lapse of this cen- ^{A. D.} tury. Woods, marshes, bleak mountains, wide, ¹³³⁰⁻¹⁴²⁵ dreary moors were still its principal features. No ^{Natural History.} ditches, hedges, nor dividing walls of any considerable extent, marked its surface. Whatever grand traces of the hand of man, were visible over it, were merely remains of the works of war; the camps, the walls, the trenches which the military enterprizes of the Romans had formed; the ruder mounds of Anglo-Saxon and Danish encampment; with imperfect circles of stones, the relics of the temples and idols of that savage superstition which had anciently prevailed throughout the island. The grange, the park, the orchard, the croft, however, appeared, here and there amid low, inclosing walls. Castles and fortalices of strong workmanship, but a few walled towns, monasteries, churches, and convents, cottages clustered together in the hamlet or the village, and here and there a solitary hut or hermitage; were the only human habitations dispersed over the land. The waste of ~~war, and of~~ domestic use, had consumed much of the wood which had once grown thick over almost the whole face of the country. Being so much opened up, its atmosphere might be now less noxious to the health of man and beast than it had once been; and yet, what it had gained in the dissipation of hovering vapours, and in the brisker circulation of

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the ambient air, had perhaps been lost in the increased exposure of scenes formerly sheltered, to the blasts of the north and the piercing winds of the east. Although the climate were cruelly severe; yet wheat, barley, pulse, oats, were produced sometimes in tolerable abundance, chiefly by the agriculture of the clergy and their vassals and peasants. Sometimes it happened that tempests, accompanied with excessive rains, deluged the lower grounds with the most tremendous floods. In the month of September in the year one thousand three hundred and fifty-eight, East Lothian was deluged by a flood, which the monkish chronicler, with a simplicity of style and imagination, such as may well provoke our smiles, describes as unequalled since the days of Noah: It raised the rivers above their banks, diffusing them over the fields, through towns, villages, and monasteries; walls, bridges, cottages were overwhelmed, and swept away in the waters; the corn, whether standing or in shocks, was destroyed and hurried into the sea: At Haddington, the flood levelled to the ground, all the houses in the street named the *Nungate*: Similar devastation was in like manner occasioned at other places upon the coast. Meteors were sometimes seen to flame in the sky; and particularly it is recorded, that not long before the death of David duke of Rothsay, a meteor appeared, with a long fiery train, from which the duke of Albany

Albany, contemplating it by night at the castle of ^{SECT. II.} Edinburgh, sagaciously inferred, that it must portend either the speedy ruin of some country, or the fall of some prince. Sometimes terrible storms of wind tore up by the roots, the trees of the forest, demolished even houses of considerable strength, and wrecked the ships in the circumjacent seas. In the year one thousand four hundred and nine, the gavel of the church belonging to the monastery of St Andrew's, was shaken to its fall by a storm of this nature: the stones which fell from it, shattered the roof of the dormitory and of the chapel below it, so that Thomas subprior of the house, was crushed to death by the weight of the shattered parts of the edifice falling in upon him where he lay. Spring and autumn were usually abundant in rains; in winter, frosts and deep snows prevailed; in summer, there was occasionally a short period of torrid heat. The forests were not yet sufficiently cleared of wolves, bears, and foxes; for the shepherds on the hills alarmed Piercy's army, and drove them into ridiculous flight by shaking the rattles with which they were wont to terrify the wild beasts of the woods from coming forth to annoy their flocks and herds. It should seem that sheep became more numerous, and flocks of these gentle animals more common in the country during this period; for it is no longer of oxen solely, or chiefly, but of herds of oxen, and flocks of sheep together

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together that the old annalists and charters speak when mentioning the domesticated animals which composed the farm-stock and useful opulence of the great barons, the ecclesiastical communities, and the inhabitants of the country in general. Even of the Kings, the chief wealth for the support of their household, consisted in their flocks of sheep and herds of oxen: although deer, roes, goats, and especially swine, of which numerous herds were annually in the end of autumn fattened upon the mast and acorns of the forests; formed also no inconsiderable part of the animal stock which was bred and tended on the royal domains, as well as on the lands of the barons. A larger breed of horses for war began to be preferred among the nobles; but, for the ordinary uses of husbandry, hunting, and defultory fight, the small hobby horses which abounded in Scotland, were still universally employed. The crow, the raven, the kite, the eagle, with all the varieties of moor-fowls and water-fowls, were sufficiently plentiful. In the year one thousand four hundred and sixteen, a pair of storks, probably from Flanders or Holland, where these birds are plentiful, coming accidentally into Scotland, made their nest on the roof of St Giles's church, and when the time for their migration came about, again flew away, to return no more. The stork being a stranger in Scotland, and a bird which man-

kind

kind have often been accustomed to view with ^{SECT. II.} some sort of superstitious veneration; hence was ^{A. D.} this appearance, even otherwise sufficiently singular, ¹³³⁰⁻¹⁴²⁵ viewed with a degree of attention which induced the chroniclers to give it a place in their records*.

FROM several facts which have been preserved, it sufficiently appears, that the agriculture of Scotland, ^{Progress of} was in this century, considerably advanced. Of Robert the Third it is related, that there was, in his days, altho' endless quarrelling among his nobles; yet an overflowing fertility of all the productions of nature useful for the sustenance of human life; a fertility which however bounteous nature might be, could not exist without industrious culture; which could not indeed exist, without the addition of careful agriculture, to the attentive management of flocks and herds. That Randolph found it necessary during his regency, to provide by a solemn act of Parliament for the punishment of thieves stealing ploughs from the fields on which they should be left during the intervals between the periods of daily tillage, is a fact affording an unequivocal proof of the increase of tillage, at the time at which such an act was framed. During the troubles of the reign of Robert Bruce, ploughs were so rare, and comparatively speaking, so little employed, that they were never left in the fields ^{to}

* Fordun. XIV. 21. XV. 12. 21. 24 :—Fædera VI. 114 :
—Anderson's Diplomata, &c.

Sect. II. to tempt the thief : In the former part of David

A. D. Bruce's reign, it had been little better : But, after
1330-1425 David's return out of captivity in England,—with
the peace which attended his partiality to the Eng-
lish interests, the useful labours of peace had like-
wise begun to revive : In consequence of the re-
vival particularly of agriculture, ploughs became
numerous, and ploughing a labour so ordinary and
familiar, that the ploughmen were induced to leave
their ploughs on the field during the night, until
they should return in the morning again to yoke
their horses, and renew their toil : This exposure
of such valuable implements of labour, tempted
theft : The evil became general, the complaints
earnest and frequent : The legislature was induced
to interpose : And that act against the stealing of
ploughs, was enacted, being one of the earliest laws
which were framed for the encouragement of agri-
culture. Another fact equally curious, marks the
state of Agriculture in Lothian in the middle of
this century. Alan Winton carried away by vio-
lence the heiress of Seton ; intending to marry her
in spite of her guardian and relations : A grievous
feud, in consequence, arose throughout Lothian, be-
tween the relations of the maiden, and the friends
of the ravisher : and it is said to have had the ef-
fect of laying no fewer than an hundred ploughs
idle for that year. An hundred ploughs were, for
the state of cultivation throughout the country in

I

general,

general, no inconsiderable number : Yet, how casual and imperfect that agriculture, the prosecution or interruption of which depended upon accidents and quarrels, such as the carrying off a damsel, might occasion ! Concerning tame fowls, animals dependent like man their lord, upon the immediate produce of agriculture, it is remarkable, that in the year one thousand three hundred and thirty-six, there raged an epidemical distemper, to the infinite mortification of the monks among the poultry of the land, by which hens, cocks, and capons, were rendered, all alike, unfit for use as food, while, at the same time they died by thousands. A dog, a cat, a cock and a hen, were the usual domestic companions of the poor man. When the houses in the *Nungate* of Haddington, were destroyed by the great flood above-mentioned, a man named John Birley, is related to have saved himself with his dog, cat, and cock, upon the broken rafters of his house, on which he was conveyed to where he could make his escape beyond the reach of the waters*.

SUCH was the exterior aspect of the country in the course of the fourteenth century ; and such was the advancing condition of agriculture, the art the most closely connected with that appearance. Of the numbers of the people, it is scarcely possible

* Fordun. XIII. 17. 51. XIV. 21 :—Fœdera :—Major, &c.

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possible to present any accurate estimate. Those incessant wars which had long prevailed, and that general want of the necessaries of life which often wasted the land, could not fail terribly to thin the ranks of population. The climate, the modes of life, the miseries of the poor, the general inability of all to exercise those tender and delicate cares which infancy and sickness require, assuredly tended to prevent any rapid increase of the numbers of men in Scotland, during this period, even altho' other circumstances had not been alike unfavourable. Besides, so very large a proportion of both sexes, consigned themselves to perpetual celibacy, by entering into religious orders, that if we add the consideration of this fact, to the other circumstances by which the increase of population was prevented; we shall find strong reason for concluding the number of the inhabitants of Scotland to have been rather diminished, than augmented in the course of that period of its history which is now under our survey. And yet there are not wanting some considerations which may seem to recommend a contrary opinion, Where mankind are rapidly cut off by death; their numbers are also rapidly renewed. How soon is the devastation of a plague or other epidemical distemper, made amends for, by the rise of new beings to fill up the gap! The annual exportation of myriads of negroes, to drudge and to perish in a foreign land,

does

does not exhaust the population of the African ^{SECT. II.} coast. Nor is it to be forgotten, that, if in rude ^{A. D.} ages and uncultivated lands, the necessaries and ¹⁵³⁰⁻¹⁴²⁵ conveniencies of life, be produced in smaller abundance; the wants of men are then also so much fewer, that the same quantity of the useful productions of art and nature, will then serve for the sustenance of a much greater number of men, than in ages of luxury and refinement. These several circumstances of opposite tendency, are therefore to be regarded as operating jointly upon the state of population in Scotland, at this period; and as in part, reciprocally destroying each other's efficacy. The numbers of the Scots, therefore, estimated upon such principles, and from the number of the armies which they are said to have led out against England, or to have sent to the aid of the French, can hardly be reckoned to have either exceeded their number in the age preceding, or to have fallen greatly short of it. Armies of twenty, fifty, almost an hundred thousand men, are loosely said to have been occasionally led against the English: There might be at one time about ten thousand Scots together in the service of France: In the domestic feuds of the northern clans, there might be often ten or twelve thousand men in arms upon each side: And from all these facts, we can deduce no other inference, than that the number of the inhabitants of Scotland, even in the end of the fourteenth century, could not greatly exceed six hundred thousand,

SÆT. II. and could scarcely be less. It is evident, how-
A. D. ever, that the comparative tranquillity which was
1330-1425 maintained, and the plenty which was enjoyed
 during the reigns of the two first Stewarts, must
 have contributed in some small degree to augment
 the general population of the kingdom*.

**Architec-
 ture.**

As to *architecture*, this was still an age rather of
 pulling down than of building up. *Castles* and
fortalices had been long found by the Scots to
 be more useful to the English, whose invasions
 were supported and maintained by them, than to
 the Scots themselves, whose mountains and marshes
 afforded them a surer defence than castles, against
 invasion. The English carefully repaired the castles
 and walled towns in Scotland, wherever these fell
 into their hands; and as they had found such for-
 tifications eminently useful towards the complete
 subjugation of the inhabitants of Wales; hoped to
 derive from them the same advantage for securing
 their conquests in Scotland. Edward the Third,
 after his victorious expedition into the northern
 parts of Scotland in the year one thousand three
 hundred and thirty-six, fortified the town of Perth,
 which the Scots had lately dismantled, with strong
 walls and deep and broad trenches, with frequent
 towers and gates. From the six monasteries of St
 Andrew's, Dunfermling, Lindores, Balmerino,
 Aber-

* Fordun. Lib. XIII. XIV. XV. passim.

Aberbrothwick, and Coupar in Angus, he levied ^{SECT. II.} sums of money for the construction of three great ^{A. D.} gates, with as many towers. The work was ¹³³⁰⁻¹⁴²⁵ of hewn stone; and the expence is said to have almost wholly exhausted the revenues of the religious houses, from which it was exacted. Gowry, prior of St Andrew's, paid to the masons for the erection of one of the towers, no less a sum than two hundred and eighty merks in ready money. The castles of St Andrew's and Leuchars were, at ^{Castles} the same time, built or repaired by Henry Beaumont and Henry Ferrars; the castle of Stirling, by William Montague; those of Edinburgh and Roxburgh, by John Stirling and William Montague. Still as the English built, the Scots demolished. On the very same year on which so many fortifications were erected, the Scots, amid their returning success, levelled to the ground the fortalices of Dunottar, Kinneff, Laurenston, and Kincleven, the tower of Falkland, and even the castle of St Andrew's, notwithstanding the extraordinary strength and beauty in which it had been recently rebuilt. The castle of Coupar which withstood their arms, seems to have owed its safety, in a great measure, to the genius and architectural skill of the famous William Bullock, who was probably the most eminent architect that Scotland possessed in this period.—Yet, it was only in the interior parts of the country that the Scots would

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would not suffer those castles to remain, which the conquering English had reared. The strong castle of Dunbar, which for two and twenty weeks baffled all the engines, all the valorous assaults, and all the military skill of Montague and the English, was a castle fortified and possessed by the Scots themselves. The castle of Berwick, whenever it fell into the hands of the Scots, was, by them, not dismantled, but strengthened with new fortifications, and carefully garrisoned. The fortifications of the castle of Edinburgh must have been weak, when the Count of Namur and his followers, although within its limits; yet could find no other means of sheltering themselves from the furious assault of the Scots without, than by slaying their horses, and forming a mound or parapet of the dead bodies. It is worthy of remark, that, about this period, the *North-Loch* of Edinburgh seems not to have existed; for it is related by Fordun, that a single combat was, some years after this, fought, on the very spot which that *Loch*, at a later time, occupied. Amidst the perils and stratagems of such long wars, even dens and caves were occasionally occupied by warriors, as places of strong defence, or secret retreat. The famous and lamented Alexander Ramsay, who perished by the atrocious treachery and cruelty of Douglas, the knight of Liddesdale, long lurked with some chosen companions in the cave of Hawthornden, and

terribly

Caves of
Haw-
thor-
nden.

terribly annoyed the English by his excursions from ^{SECT. II.} it. In the latter part of the fourteenth century, ^{A. D.} when the land had a partial rest from the ravages ¹³³⁰⁻¹⁴²⁵ of the English, the Scottish barons, not otherwise secure, each in the possession of his own domains, erected various castles for domestic accommodation, and in order to protect themselves against the rapine and hostilities of one another, as well as against the vigorous exercise of the lawful authority of their sovereign. Among others, the castle of *Thrieve* in an islet, probably artificially formed in the river *Dee* in Galloway, was erected by Archibald Douglas the *Grim* earl, first of Galloway alone, afterwards by succession from his brother, of both Galloway and Douglas. The ecclesiastical edifices were the most sumptuous of all that were in this age erected in Scotland. To be a great builder was accounted highly honourable to the abbot or prior presiding in any religious house. Amidst the ravages of war, indeed, the soldiers could not always be deterred from sacrilegious violation of the holy and hospitable seats of religion: The monastery, sacred to St Columba, in the island of Inch-Colm, in the Frith of Forth, was often in this manner violated and robbed by the English fleets which came into the Frith: At one time, the church of Dollar, dependent upon it, and, by one of its abbots, decorated with columns of oak, which were with admirable elegance carved, jointed, and exquisitely indented;

SECT. II. indented; was, by those ravagers, plundered of these
 A. D. admirable works of ornament: But, the spoilers
 1330-1445 perished by a storm, when they had returned as far
 down the Frith, at St Columba's isle; and the vindictive superstition of the monks ascribed the shipwreck to the immediate interposition of God most High, for the punishment of their sacrilege. Many noble works of architecture are recorded to have been in this age erected by the care of the priors and archbishops of St. Andrew's; noble in proportion to the state of arts and manners in the fourteenth century; although perhaps petty, if regarded in comparison with the nobler buildings of more opulent countries, and more enlightened times. To place a new leaden roof upon the dormitory, to wainscot it with fresh oak, to repair the chapel, to add a chamber or two, were works of architecture sufficient to do honour to the prior of any monastery. All these, and various other erections and reparations, but especially the providing of a rich and curiously wrought curtain,—as it should seem,—of tapestry, exquisitely adorned with inwoven figures of men and beasts; distinguished the priorate of William Lothian who governed this religious house, from the year one thousand three hundred and twenty-one, to the year one thousand three hundred and fifty-four. His successor, Bisset, being afterwards elected to the bishopric, expended, while in this high station, no less a sum than two thousand and two hundred marks

Churches
and mo-
nasteries.

marks in rebuilding the great church, which had ^{SECT. II.} been unfortunately burnt down by accidental fire. ^{A. D.}

A great apparatus of office-houses was required for ¹³³⁰⁻¹⁴³⁵ the use of a monastery : Some of those priors of St Andrew's, therefore, distinguished themselves by building granaries, mills, bake-houses, pig-sties, barns. Sometimes the placing of a new roof, sometimes the laying of a new pavement, is mentioned as the public spirited act of the president of this or that religious community. The raising of new columns, or the forming of new windows of glass, was a work accounted to display wonderful taste and magnificence. The pavements of the courts and floors were often of polished stone. As to the architecture of the cottages, and of the houses within the walled towns ; it was such as hardly to deserve the name. Walls built without any cement but clay, straw or turf covered roofs, nothing but the moist, puddled earth for floors, and no neatness in the arrangement of furniture ; were the most remarkable objects to be seen about them. The town of *Perth* being so strongly walled, with so many gates and towers, was probably, within, a place of some extent, and might have several different streets, sufficient to make it, perhaps, one of the most considerable towns in the Scottish dominions. It does not appear that *Edinburgh* was, as yet, very considerable for any thing, save its castle, and the contiguity of the venerable monastery

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tery of the Holy Rood : Yet, had it at this time, beside its principal and *Higb Street*, several cross streets ; such as *Saint Mary's Wynd*, and the *Friar's Vennel* : Already, too it had the august collegiate church of *St Giles's*, on the roof of which a couple of Storks were, above related, to have made their nest. *Stirling*, unless so far as it was confined within the circuit of the outer wall of the castle, seems to have had hardly any existence as a town. In the other parts of the kingdom, there were indeed castles, convents, and hamlets ; but few places sufficiently considerable, to deserve the name of towns. *Dundee* and *Aberdeen* are, however, to be excepted from this observation ; for their situation on the eastern coast, over-against *Flanders*, the land of manufactures and commerce, had already begun to raise them to some consideration as seats of seafaring trade. *Haddington* which suffered so much by the inundation before mentioned, could not have so suffered, had it not possessed streets and edifices, liable to be overwhelmed by such a fate : Yet, the *Nungate* seems to have been its principal street ; and the houses in it were but straw-roofed cottages. It was, in general, on the eastern side of the kingdom alone, and towards the southern and middle parts of that eastern side ; that towns had begun to be multiplied and populously inhabited ; manufactures and trade, the sources of the wealth and prosperity of towns, to be called

forth and cultivated. *Roxburgh*, which now ex-^{SECT. II.}
ists only in history, was perhaps in the fourteenth ^{A. D.}
century, a town, comparatively, of no inconsider- ¹³³⁰⁻¹⁴²⁵
able magnitude. *Fedburgh* also might, at least, de-
serve the name of a town. But, in all the ancient
records, however towns may be mentioned as at
this time existing in Scotland; yet, the castles of
the King and the nobility, and the monasteries,
cathedrals, churches, chapels, and parsonage-houses
of the clergy, are still the most considerable build-
ings described. *Aberdeen* must have been a place
of some consideration, when its citizens marched
out against Rosheme, in the days of David Bruce.
But, the punishment which the English king in-
flicted upon those who had adventured out upon
that hardy enterprize, was such as to reduce their
town to ashes*.

Of the variations which, during this fourteenth ^{Culinary}
century, took place upon the culinary, and the ^{and mean-}
other meaner arts, there is but little to be related. ^{er mecha-}
^{nic arts.}

Salted provisions formed still a very large propor-
tion of the food of the Scots during the course of
the year. That animal-food which they consum-

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* Fordun. XIII. 28. 38, 39, 40, 41. 45. 35. 48. VI. pas-
sim,—XIV. 21. &c.—Fœdera, VI. 40. 133. &c.—It is a cu-
rious fact, that a tombstone and other materials for the func-
ral-monument of David Bruce, were to be procured from
England, and from the Continent. Even the masons, to erect
it, came from England :—Fœdera, VI. 721 :—Statist. Ac-
counts, &c.

SECT. II.

ed while *fresh*, was often used also almost *raw*.
 A. D. The nastiness which always prevails among savages

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and barbarians, seems to have predominated, as a presiding dæmon, in the chambers, at the tables, in the kitchens, and in the halls of the Scots of this age. Even at their most plentiful and sumptuous entertainments, all the garniture of the feast, neatness, delicacy, cleanliness, sober temperance, were still wanting. Nor in clothing, were they better accommodated. The cloak, the mantle, the doublet, the hose, with pointed shoes, were the ordinary articles of complete dress. But, it was when clad rather in complete steel, that the warrior was best pleased with his own garb. The priests and monks arrayed themselves in richer robes, black, white, grey, purple; although in other instances, with affected or weak humility, in robes peculiarly simple and mean. Among the workmen of the mechanic arts, the *smith* still retained his ancient pre-eminence. The *miller* was also a considerable man among the peasantry. The *mason* who possessed talents for architectural contrivance and design, was generally ranked above mere artificers. The weaver, the shoemaker, the taylor, and, in general, the artificers of all those arts which in a savage state are resigned to the women, seem to have been often persons living in a state of *villainage*,—or but newly emancipated out of it, and admitted to the freedom of burghs belonging

longing to the kings or the barons. The laws ref-^{SECT. II.}
 pecting the salmon-fishery, the great use made of ^{A. D.}
 salmons as an article of food for winter, and par-¹³³⁰⁻¹⁴²⁵
 ticularly for the stores of garrisons and of the
 convents, bespeak fishing to have been a species of
 useful industry, which was, at this time, most assiduously
 pursued. Whether it occupied a class of
 men, who employed themselves solely in fish-
 ing, or was rather followed but occasionally by
 persons who applied also to different labours, cannot
 be precisely ascertained. Yet is it probable,
 that the latter would be the mode in which the
 fishing of the Scottish coasts and rivers, was usually
 carried on; since the subdivision of labour was
 still very imperfect in Scotland, and the Scots in
 general, were as yet far from having learned how
 much better it is to earn the comforts of industry,
 than to starve in listless sloth*.

THIS was an age favourable to the improvement^{Navigation.}
 of the Scots in the knowledge of *maritime affairs*,
 and in the practice of *navigation*. Their wars with
 the English, who in navigation remarkably excelled,
 at this time, among the nations of Europe, unavoid-
 ably led the Scots themselves to become also bold and
 hardy sailors. Having so constant an intercourse with
 France, which could not be carried on without con-
 tinual voyages, they necessarily became more and
 more a maritime nation, while repairing so fre-
 quently,

* Eodem, passim.

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quently, by sea, to the aid of their French allies, during the progress of the present century. By the Flemings, and the citizens in general, of the combined HANSE or free trading towns on the middle and northern coasts of the European continent, who were masters of almost all the trade and navigation of these seas; were the Scots signally instructed and aided in the management of any operations of naval war, in which they had occasion to engage. It was Crabbe, the famous Fleming who had formerly fortified Berwick, that brought a fleet of Flemish vessels to oppose the English fleet, with which Edward Balliol came to invade Scotland. His aid proved indeed unavailing, and his fleet was destroyed.—That was a desperate conflict at sea in which Lindsay perished bravely fighting with the English, who had attacked a French vessel, in which he with many noble persons belonging to Scotland, were returning from a temporary retirement in France, to the defence of their native country. Hautpyle, the famous French mariner, who brought his ships to aid the Scots, instructed them also unavoidably more or less in the maritime arts, and gave a lustre to their navigation by the deeds which he achieved in their service.—Yet, it must be acknowledged, that the English were in these days absolute masters of the Scottish seas. Whenever they came to invade Scotland by land; their fleets were still ready to attend along the coast, the progress of their

their land-armies. However the Scots might ^{SECT. II.} frequently oppose the invaders on land, at sea they ^{A. D.} rarely dared to attack the English fleets. When ¹³³⁰⁻¹⁴²⁵ the Scottish coasts were ravaged from the Tweed to the Moray-frith; when English piracy advanced up the Forth, almost to Stirling, up the Tay, to Perth; spoiling and destroying whatever it could find: It was to fancied miracles, to the fabled interposition of saints, whose shrines were pillaged, not to a naval force, which might have sunk or taken the ships of the spoilers; that the affrighted Scots referred themselves for protection and redress. From the death of Robert Bruce, to the very period of the return of the First James out of captivity, the English remained lords of this eastern sea. The Scots might augment the numbers of their trading vessels; might increase the frequency of their intercourse with their continental allies: But they still wanted wealth, trade, extent of coast, a due connexion with the other maritime powers of Europe, to enable them to form a navy that could be formidable to that of England. This was to be the achievement of a later æra.—Yet, the Scots sometimes found means successfully to wreak their rage, even by water, upon some of their English foes. While, during the absence of David Bruce in France, the castle of Cupar in Fife was in the hands of the English; about sixty men from its garrison, rode out on an excursion as far

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far as Dunibristil, and thence sending back their horses, proposed to cross the Frith of Forth. It was now midnight, and the moon shone bright. With some difficulty they procured a man, named Alan Sterisman, who either kept there a ferry-boat, or happened at the time to be near with a small fishing-bark,—to ferry them across the Frith. The reluctance of Sterisman and his companions was overcome by beating and threats. He repressed the expression of his resentment, and seemed to obey their wishes with the utmost activity. But reaching a sand-bank which the ebbing tide usually left dry and bare, from Cramond-island, as far as to Barnbogle; he persuaded them there to leave the boat, as if they had reached the farther shore. The uncertain light of the moon rendered it impossible for them to distinguish whether or not he told the truth. But Sterisman was scarcely gone with his boat beyond their reach, when they began to perceive that they were only upon a sand-bank, surrounded on all sides with water, which was too deep for them to wade through it, and was fast rising to sweep them away. In vain did they call upon Alan to return; in vain they implored him with supplications as abject as their commands had been impotently insolent; in vain offered him even fifty pounds, if he would but receive them again into his vessel. He lent a deaf ear alike to their offers, their prayers, and their cries.

The stripes he had suffered; the unwilling navigation which he had been at midnight, compelled to make; the abhorrence which an honest Scotsman naturally felt for the usurping, oppressive English; hardened his fullen heart against their distress. Their drowning shrieks; for, as the tide rose, they, every one, perished; struck his ear, as the sweetest music, while he approached the bank of the Frith, from which he had set sail.—That the naval enterprise against the castle of Edinburgh was conducted from Dundee by Currie, Douglas, and their companions; seems to imply that Dundee was at this time a seaport-town, probably in possession of some trading ships, however few and small. William Douglas of Nithsdale appears to have had no difficulty in finding shipping for that expedition which he conducted by sea against Carlingford in Ireland, and against the Isle of Man.—In every frith, in every bay, at the mouth of every river, from Annan, around all the Scottish coasts to Berwick, there were a multitude of boats, for fishing, for rapine and war, even for occasional, distant navigation. And yet the Scots did not carry on any trade, by sea, more than was necessary for the exportation of some of their few superfluities, in exchange for things which although not produced in their own country, were however wanted by them. Wool and hides, with the pearls of their rivers, and, in years of plenty, some

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SECT. II. some dried fish, were their staple articles for exportation. The precious metals, cloths for raiment, **A. D.** 1330-1425 armour of all sorts, whatever was curious in furniture, or in the decorations of ornamented architecture, were all to be imported from abroad. Presents from their allies of France, the gold which rewarded their military services on the Continent, the spoils which they took in battle, and the precious things which the clergy received in presents, or purchased abroad for the purpose of rendering religion more august; were the principal objects of importation, by which their country was enriched, and a taste for refinement and luxury gradually awakened among them*.

Discovery of New-foundland, &c. BUT, in the mean time, if we may trust the curious narrative of an old Italian voyager, some important adventures of navigation were carried on from the isles contiguous to the northern and the north-west parts of Scotland. Zeno, the Italian, by whom the account of these facts has been commemorated, was carried by the bold, mercantile and naval activity of the Italians of that age, to explore the coasts of the northern seas. In the progress of his adventures, he was accidentally cast among the Isles of Orkney. Being there detained by the kind reception he met with from their inhabitants, and by the difficulty of finding means to return

* Fœdera, VI. 133. VIII. 450:—Fordun. XIII. 46. XIV. 13. 48, 49. 52, &c.

return home, he engaged in the service of the prince of those isles, and was led to visit also occasionally the Shetland isles and the Hebudæ. Henry Sinclair, a vassal of the Scottish King, about this very period, in the end of the fourteenth century, conquered the Orkneys from chieftains who were feudally dependent upon the King of Norway. It was in Sinclair's service, that Zeno engaged. His talents for navigation, so highly superior to whatever those rude islanders were capable of, recommended him to the highest favour with Sinclair, and enabled him to advance the authority and grandeur of his lord among all the surrounding isles. He contemplated with curiosity, the manners of the rude Hebudians, their poverty, their incessant quarrels, their unwearied, paddling navigation. But, the active spirit of the people of the Orkney and Shetland isles, and the high enterprising ardour of Sinclair, victorious over his foes, and enlightened by the counsels of so able a navigator as Zeno, prompted them to push their enterprises far away, towards the north-west. To Iceland, long since colonized by the Norwegians, they penetrated in some voyages, which were not attended with any very extraordinary difficulties. Greenland was explored by them in other voyages. As well as in Greenland as in Iceland, they found Christianity established, and the inhabitants neither without industry, nor strangers to

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the comforts which industry bestows. But, the limits of their adventures were not to be fixed, even there. The inhabitants of Greenland had, at this time, frequent intercourse with the people of a more western land, which they named *Winland*, or *Esotiland*, had even colonists settled there, and were acquainted with its productions. The existence and the bearings of this land, were made known by them to our adventurers ; who repaired eagerly thither, and if not enriched by the voyage, at least convinced themselves by personal inspection of the truth of what the Greenlanders had related concerning it. That land could be no other than the extensive AMERICAN isle of NEWFOUNDLAND. The bold Norwegians, as it should seem, had discovered the western hemisphere, in those illustrious days of their piratical navigation, when they conquered or ravaged almost all the maritime territories of the middle and northern parts of Europe. Establishing themselves in Iceland, exploring Greenland ; their bold and restless activity easily led them to extend their enterprizes farther, upon that side. But, it was only a bleak, inhospitable land,—without any obvious natural riches which they might have seized,—inhabited by no opulent and industrious people, whom they might have pillaged or subdued. They therefore turned their expeditions once more towards the middle parts of Europe, where alone was wealth to be acquired, or enviable settlements

ments to be obtained. Their colonists in Iceland SECT. II. and Greenland, or rather in the latter isle alone, A. D. continued, from time to time, to visit that western 1330-1435 coast which the adventures of Norwegian navigation had discovered. But, they wanted, in a great measure, the illumination of literature. They were not aware that they had discovered a country, of which the southern parts were rich and fair, and which was afterwards to attract, as to a focus, all the ambition, curiosity, and avarice of almost all Europe; they thought not of the extent and future importance of America; and they were little careful to register and preserve the memory of their discoveries. It was after the rage for the discovery of new lands had been fully and eagerly awakened, that Zeno went to visit these northern seas, and conducted the inhabitants of the Orkney and Shetland isles to retrace the steps which ancient Norwegian navigators had once pursued. The circumstances of the expedition evince, that these islanders still retained the same spirit which had animated the ancient Norwegians, from whom they were chiefly descended. Had it not been for the memoirs of the Zeno's, the adventure, like other adventures of a dark age, and a barbarian nation, had most probably been forever forgotten*.

BUT, were the arts of war improved, among the Scots, in the course of this century, to greater skillfulness,

* Hakluyt. Vol. III. P. 124: Ramusio, II. 232: Forster's voyages and discoveries in the North, 178 to 209.

Sect. II. fulness, and to more heroic magnanimity? They
 A. D. were. Until this century, the spirit of chivalry had
 1330-1425 not been imbibed by the Scottish warriors in general, in all its romantic generosity, and in all its daring yet not savage valour. Courage had not been before, cordially allied to gentleness, force to forbearance, the practice of war to faithful, unswerving honour. Throughout all Europe, it was the same; Every where, the genius of chivalry shone the most illustrious, in this age. In Scotland, the virtues of chivalry were now the most conspicuous qualities of the warrior. This spirit affected the general practice of war, and failed not to influence every operation of actual offence or defence, in which the Scots engaged. It regulated the punctilios of general battle and of single combat. It prompted the youth to early activity in the exercise of arms. It presided over the tournament and the chase.

Martial
 spirit of
 the Scots.

As to *arms*, those used in this age, were, for the greater part, not remarkably different from those which had been in use among the Scots, during the century immediately preceding this. But yet, the invention of a new species of arms had, in the mean time, begun to change in a great measure, all the plans and operations of war. These were FIRE-ARMS, unknown to the warriors of antiquity, to the bold savages who subverted the Roman empire,

pire, to the heroes of the Crusades, to all who had fought and bled during the earlier centuries of the warfare of modern Europe.


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THE uplifted arm, the clenched fist, a stone taken from the earth, a branch torn from a tree, were the first weapons of offence, used among mankind. The branch was soon exchanged for a club; the stone was thrown from a sling; the skins of wild beasts used for ordinary clothing, were yet more carefully employed to shield the breast, and to protect the head from the stroke of an enemy. The club was again sharpened into a javelin or a spear, or at the same time while it was sharpened, was also shortened even into a dart. To the sling was soon added a piece of flexible wood; and it became a bow, to which the dart polished to slenderness, might be fitted as an arrow. Metals were not sooner applied as instruments of the useful arts of peace, than employed to make more deadly, the weapons of war. The sword, the scymetar, the dagger, the iron-headed spear were fabricated with the metals, which rendered their wounds more deadly. But, being applied likewise with equal success to the improvement of defensive armour, the metals strengthened it almost as much as they had improved and sharpened the weapons of offence; thus maintaining nearly the same equality which had before subsisted between the assailant and the warrior

Reflections upon armour.

Sect. II.  **A. D.** 1330-1425 warriour assailed. Ingenuity and art were soon more diligently applied to the fabrication of armour of all sorts, than to almost any other purpose. The Asiatics, the Greeks, the Romans possessed coats of mail, spears, javelins, darts, shields, bows, and quivers filled with arrows. The barbarian conquerors of the Roman empire adopted the use even of heavier armour than that which the Romans had been accustomed to wear. The *men at arms* or heavy-armed soldiery of the modern European armies, were so completely clad in massy steel; that it seemed as if the warriour thus armed, and then mounted on horseback, or placed in the field of fight, would scarcely be able either to advance or retire, or to do any thing else but bear the brunt of his adversary's blow, to wield, himself, some awkward strokes, and to stand or fall lumpishly on the spot on which he was fixed. But, the efficacy of exercise and habit, was wonderfully exhibited in strengthening the knights of modern Europe, as well as the soldiers of ancient Rome, to bear the weight of all their armour, at the same time while they exerted themselves in marches, in battle, in the exercises of the tournament, as if they had been not more heavily armed than the naked soldiery of later times. Bodily force and agility were thus proportioned to the weight of armour which was to be wielded and sustained: The defensive armour was proportioned to the weapons employed

employed for offence : And the art of war, was ^{SECT. II.} made more artificial and complex, but not abso- ^{A. D.} lutely more destructive, by those continual new in- ¹³³⁰⁻¹⁴²⁵ ventions which were produced to render its weapons more fatally death-dealing than they had been before.

THE TACTICS of an army,—or the arrangement ^{Tactics} of its troops for actual fight,—have always a neces- ^{and other} sary relation to the armour they wear, and the ^{arts of} weapons which they wield, as well as to the local nature of the country in which they are destined to combat. While men used in battle nothing but clubs and stones ; their mode of fight was extremely desultory : They might meet together in two hostile bands ; but no sooner did these opposite bands come to blows, than they were irregularly intermingled together in the same disorder as if they had been but so many unconnected individuals, by their nature incapable of fighting in concert. The bow, the javelin, the dart, the sword, the poinard, the scymetar, were all weapons susceptible of being used with effect, without any combination with skilful and orderly tactics. Advantages of ground might indeed be chosen, before an engagement ; an open plain might be preferred to a field broken with petty and troublesome inequalities,—a rising ground to the bottom of a hill ; a march might be conducted rather over open

SACT. II. open ground, than amid unexplored morasses and
A. D. forests; a pass might be vigilantly seized to inter-
1330-1425 cept an advancing or a retiring foe: But still when
the action began, all was tumult, confusion, the
disorder of a herd of wild animals. It was in this
state of tactics and military discipline, that one man
might sometimes rout an hundred, that sudden
panics, would, at times, put vast armies to flight,
that a disorderly multitude would sometimes turn
their arms against each other, not against the foes
they came to oppose; and this not so much from
any sudden contention, as from mere confusion,
and want of order in their marches and encamp-
ments. When the spear became the favourite
weapon of offence; when infantry began to be con-
sidered as being a more effective soldiery than ca-
valry, for all purposes, except for foraging, and for
other desultory operations of a similar nature: then
armies began to be divided into troops and squad-
rons, and to be arranged for march and for battle
in something like the order of rank and file. There
was somewhat, yet only a very little, of this order
in the arrangement of the Persian armies, at the
times when they achieved their most illustrious
conquests. In the armies of the Greeks, there
was much more of it. But, the Macedonian pha-
lanx, a body of troops, who were regularly organ-
ized, in a manner, into one machine, of which all
the parts had a due proportion and reference to

one another, so as to constitute one whole ; was ^{SECT. II.} the first eminent example of scientific or highly ^{A. D.} artificial tactics, which was exhibited in the mutual ¹³³⁰⁻¹⁴²⁵ wars of mankind. The soldiers of the Macedonian phalanx were armed with spears of a prodigious length, and with the usual defensive armour of the age ; and on ground on which they could act, and against the undisciplined soldiers of Asia, and the imperfect tactics of the other Greeks, the Macedonians were absolutely irresistible. But they could act only on exceedingly advantageous ground. They were an unwieldy machine, which could not be readily accommodated to all that diversity of circumstances in which it might be necessary to fight. While the Macedonian tactics were diffused throughout Asia, and through the eastern parts of Europe ; the military discipline of the Romans, whose principal weapon was also the spear, was improved to a degree of perfection, superior to that of the Greeks. It was better adapted than that of the Greeks, to every diversity of circumstances in which combats between opposed armies could take place. Nay, it seems to have become the most perfect, of which men meeting in military array, for hostile purposes, and with such armour as the Romans wore, can well be susceptible. After the structure of the Roman military system had been destroyed ; their arms and their discipline were partly adopted by the barbarians, who by serving

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in the Romans armies, not less than by contending against them, learned at last to subdue them. But, into the discipline and tactics of ancient Rome, even the most perfectly disciplined of those barbarians, introduced something of that wild irregular impetuosity, which belonged peculiarly to their nature, and to their barbarian habits of warfare. Spear-men, horsemen and infantry, bowmen, slingers, composed the strength of the European armies, in the twelfth, the thirteenth, and the fourteenth, centuries. The cavalry and the spearmen, were usually the main strength of these armies; but they owed their superiority, perhaps, even more to the complete and weighty defensive armour, in which they were clad, than to any skilful evolution, or to any happy combination of efforts in the order of attack or defence. These usually decided the fortune of every pitched battle. Next to them were the archers or bowmen. The archers fighting from a distance, were commonly so stationed, as to cover the attack of the spearmen of the army to which they belonged; and with such powerful effect were their shafts often sent, that the spearmen opposed to them were sometimes broken by *their* assault alone, or were at least so sorely galled, as to be easily mastered by the adverse spearmen who advanced to attack them, under the cover of a body of such able archers. In the fourteenth century, when the English yeomanry had risen to some considerable degree
of

of importance in the state; the English archers who were composed out of this order, appear to have been the best in Europe. The cavalry, the spearmen, were not invariably superior to those of the French, were scarcely equal to those of Scotland! But, the archers were unequalled. In all their pitched battles, it was still by the superiority of their archers that the English routed the Scots, whenever the Scots had the fate to be routed by them. The English bowmen were freemen of some consideration in the country; the Scottish were but a miserable peasantry, poor, and subject to the thralldom of villainage: Hence probably come the superiority of the bowmen and other light-armed troops of the former, over those of the latter*.

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BUT, in this century, a discovery was made known, which was destined to change entirely the whole system of discipline and tactics, and to exalt tactics much more nearly to scientific perfection, than even among the ancient Macedonians and Romans. Of missile weapons, the arrow, the javelin, the dart, had been in use among mankind, almost from the earliest times. At sieges, there had been various propelling engines employed for casting stones and other weapons to a distance, and with a force which no effort of the human

Invention
of gun-
powder
and fire-
arms.

* Polybii Hist.—Veget. de re militari, &c.

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man arm could have otherwise communicated to them. But, it was reserved for the votaries of alchemy, in the dark ages of modern Europe, to compose a fulminating powder, the ingredients of which should, at the contact of fire, burst asunder with such inconceivable violence, as to expel to a vast distance, and with extraordinary force, any objects which might meet their impulse. The famous Roger Bacon of Oxford, a man whose genius, scientific research, and enlargement of mind, raised him greatly above the level of the age in which he lived, is believed to have produced the invention of GUNPOWDER, some time before the present period, but to have concealed his invention in an anagram, either out of humanity to mankind, or perhaps in that spirit which made the alchemists particularly, often envy to others, the communication of secrets which they themselves had *not* attained. Schwartz of Germany, another chemist, busied in some experiments connected with the pursuit of the universal medicine, or of a menstruum fitted to convert all things into gold; stumbled upon the same discovery, which was supposed to have been made by Bacon, but did not, like Bacon, hide it from the curiosity of mankind. Pounding together nitre, sulphur, and charcoal, he found himself to have formed a mixture which exhibited the most wonderful fulminating qualities. The powder was itself lost in the explosion excited
in

in it; the impetus was terrible with which it at-^{SECRET. II.}
 tacked in its explosion, all contiguous objects. ^{A. D.}
 Within a vessel confining it upon all sides, but ¹³³⁰⁻¹⁴²⁹
 leaving it free to act straight forward, and only so,
 it was perceived to act with the most prodigious
 energy. Invented, seen to possess such qualities,
 being in the hands of men whose ideas were almost
 all turned more or less towards war; it was applied
 as an instrument of death which, from the tube of
 a gun or cannon, might propel stones, or lumps of
 metal, with a force which should make them act
 with mortal efficacy against a foe. The various
 battering engines employed at sieges, approached
 in their nature so near to what cannons or great
 guns were to be; that the transition of imagination
 from the one to the other, was sufficiently easy, to
 favour the speedy adopting of the use of these
 and other fire-arms. Cannons and calivers were
 hammered out by the smiths; gunpowder was, in
 great abundance, manufactured; balls of lead were
 cast; war was armed with new instruments of des-
 truction, before unknown. These by whom these
 instruments were first employed, would, no doubt,
 please themselves mightily with the thought, that
 they had acquired a sort of magic secret for com-
 manding victory. But, there was in the first use
 of them, a cumbrousness, an awkwardness, an un-
 skilfulness in the warriors in whose hands they
 were, which prevented them from conferring, in
 all

SECT. II. all instances, that decisive superiority which might
 have been expected from them. Nor was it long
 A. D. possible to confine the benefits of a secret so im-
 1330-1435 portant to one or two nations. The knowledge,
 the manufacture, and the uses of gunpowder, were
 soon diffused over Europe; and heavy artillery, and
 portable fire-arms were soon adopted into use, in
 all the European armies. Edward the Third of
 England, in his wars in France, is said to have de-
 rived important advantages from the use of fire-arms
 against the French, while they were unprovided
 with the same species of artillery and arms. An-
 drew Murray, while Regent of Scotland, when he
 reconquered and levelled to the ground, those cas-
 tles which Edward the Third had recently erected
 or repaired, to retain the Scots in subjection; de-
 rived his chief advantages for the sieges, from the
 use of an engine, which seems to have been no
 other than a cannon, and was known by the name of
 the BOUSTOUR.—It was thus that when swords well
 tempered, and of curious workmanship, were rare,—
 the knights of the dark ages fondly gave names to
 their swords, by which the sword often became
 little less illustrious, than was the warrior who
 wielded it.—From France, or from some one of
 the friendly Hanse towns, had Murray most pro-
 bably received this useful engine, the first of the
 kind, that was possessed by the Scots. Its efficacy
 was such that, although the Scots had hardly ever
 before

before taken a castle out of the hands of the Eng-^{SECT. II.}lish, otherwise than by stratagem or blockade; ^{A.D.} Murray, with this engine, took a number of forta-¹³³⁰⁻¹⁴³⁵lices by open and direct assault; while more were surrendered to him through terror of the irresistible impression and the dreadful havock which its explosions were known to make. Yet, it should seem, that Montague, earl of Salisbury, was furnished with no such artillery, when he besieged the castle of Dunbar, for two and twenty weeks, in vain. Such warlike instruments once introduced into Scotland, were soon to come into constant use, and to produce an entire alteration of the whole system of the operations of war*.

THE use of fire-arms, thus introduced, entire-^{Effects of}ly changed the ancient tactics, by precluding in ^{this in-}many instances, the possibility of engaging in close ^{vention on}combat, and by rendering it much more easy so ^{the arts of}organize an army, that it might be guided into ^{war.}action, as if it were one simple machine. The spearmen, formerly the main strength of every army, could not, however loaded with defensive armour, withstand the volleys of musquetry from a well-armed and well disciplined troop: If, even before the invention of fire-arms, the use of the bow had begun to be often singularly effectual, in breaking and disordering the ranks of adverse spearmen; musquetry, which could act with much more powerful

* Fordun. VIII.

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powerful efficacy than arrows from a bow, was unavoidably formed to produce more surely the same terribly annoying effect. But, field-artillery, infinitely more than musquetry, was adapted to render useless all the arms and the discipline of ancient warfare. Covered by a vigorous discharge of cannons, any force, however small and pusillanimous, might prevail against the greatest armies wanting cannons. All the engines anciently in use for sieges, were of such a nature, that, in employing them, it was still necessary for the besiegers to advance almost close up to the walls which they assailed. But, in the use of cannons, such dangerous approaches were no longer requisite. Besides, the force with which the most powerful battering engine, known in ancient warfare, could act, was but feeble and puny in comparison with that of cannons carrying a great weight of ball. Even bows, acting somewhat in the same way as musquetry, but with much less sure, and less tremendous efficacy, were, in consequence of the invention of fire-arms, naturally to be laid aside for these better instruments of destruction. For skirmishing, bush-fighting, and pursuit, no weapons that had been before in use could be comparable to the musquet. Even the match-locks, the use of which was subject to many inconveniencies, to which guns which have their locks fitted with flints are not liable,—even those were a species exceedingly superior

superior to the spears and bows which had been ^{Sect. II.} before employed. Inequalities of strength and of ^{A. D.} fierce courage were to be, in a great measure, annihilated, as to their effects in the field of battle, by the use of fire-arms : when the individuals of adverse hosts could not longer come close up together, and single one another out ; the brave man could not so easily triumph over the coward, nor the strong man at a blow crush a puny adversary to the dust : strength to support his arms, to fire his gun, to march with his battalion, was henceforth to be all that the soldier needed. Even the advantages of being clad in complete steel were annihilated before the cannon and the firelock. The knight thus armed could not be secure against the shock of cannons ; even the musquet-ball might penetrate at the joints, and break through the slender parts of his mail. But, although *almost* secure, he was comparatively useless. To the velocity, the activity, the rapid evolutions of infantry or cavalry, light-armed as those who wore no coats of mail, and fought with fire-arms, he was altogether unequal. Ere he could come sufficiently near, to assail them, their volleys must have disabled or laid him low. Irregularities of ground, and other local disadvantages were to be much more easily surmounted by troops with fire-arms, than by the heavy-armed soldiery of the preceding age. They were much more completely at the command of a leader ;

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and

SECT. II. and were much more easily brought into action,
 A. D. with harmonious and reciprocally correspondent
 1330-1425 movements.

The use of
 fire-arms
 has not
 mitigated
 the fury
 of war.

HAS the invention of fire-arms, which began to be employed in Scotland, during the fourteenth century, contributed to mitigate or to infuriate and enhance the horrors of war? It cannot be, with confidence affirmed, to have acted in either the one way or the other. True it may be, that, keeping back the combatants in a battle from joining in close engagement, and hindering each man from perceiving whom he wounds, or by whom he is wounded; the use of fire-arms may thus prevent some part of those personal resentments, which were necessarily excited, when armies joined in close combat, and fought, man to man. But, it cannot prevent that inflamed irritation of mind, without which it is absolutely impossible for any one body of men to face another in arms, till havoc and carnage decide the strife. Nay, more: Those very circumstances attending the use of fire-arms, which tend to keep down some part of that exasperated rage which naturally boils up in the breast, in battle; must tend also to form the heart to a cool indifference for scenes of sufferings and of carnage, such as will produce much more habitual and atrocious cruelty, than when every battle was only an assemblage of single combats.

It

It is often better that the heart should feel even in-^{SECT. II.}
ordinate emotion, than that it should become callous ^{A. D.}
and torpid. The gallant warriors of the age of chi-¹³³⁵⁻¹⁴²⁵
valry acted with a generous humanity which can
scarcely be rivalled by the most amiable benignity
exhibited by the soldiers of a later and more refined
period. No, never will the liberal magnanimity of
the Black Prince of England, in the treatment of
a prisoner, be exceeded by any generosity of the
soldiers and commanders of succeeding times !
What Scotsman could act a more generous part to
a vanquished foe, than did the earl of Moray, and
the knight of Liddesdale to the count of Namur,
when at the peril of their lives, they conducted him
safe out of the Scottish territories? The invention of
fire-arms has destroyed that superiority which heavy
defensive armour gave to its wearer in combat; has
reduced robust and moderate strength to an equali-
ty; has taken away the possibility of fortifying a
town or castle with impregnable walls; has anni-
hilated the superiority which the heavy-armed ca-
valry possessed in military transactions in the early
ages of modern Europe; has made it possible for
the arrangements of war to be considerably more
a matter of art and skill in the general, than they
were in ancient times; has accommodated the
progress of complex art and ingenuity in the works
of peace, with a correspondent progress of complex
art and ingenuity in the works of war;—but, does
not

SECT. II. not appear to have, of itself, in any eminent degree, either mitigated or infuriated the ferocity of
 A. D. 1330-1425 the military spirit, either augmented or diminished the ordinary carnage and bloodshed of warfare.

Has the change produced by this invention on the art of war, rendered war an art of which only civilized people can be capable?

BUT, has the invention of fire-arms produced such an alteration in the practice of war, that it must henceforth be impossible for barbarians to over-run, and conquer the civilized world in the same manner as the ancestors of the nations of modern Europe, over-ran and subdued the Roman empire? It has not. The great body of the military class in any society, are uniformly observed to be in substantial civilization, in genuine refinement, considerably behind those classes which are employed in the works of peace. There are some employments which indispensably require or even produce in those who engage in them, superior intelligence or extraordinary refinement. But, the discipline, the evolutions, the actual contests of war, have no such tendency necessarily to enlighten and refine the minds of soldiers. A good soldier ought to be almost as much a machine as the gun which he levels, as much a mere instrument as the bayonet he pushes. Reading, writing, science, taste, however they might grace his profession, are little necessary to its actual exercise. That polish which is often studiously exhibited by soldiers of higher rank, is an exterior, a superficial polish which reaches not to the

the core of the character. Sensual pleasures are ^{SECT. II.} all the enjoyments which the spirit of the soldier's ^{A. D.} profession has a tendency to excite him to pursue; ¹³³⁰⁻¹⁴²⁵ bodily exercises, fierceness, and obedience, are the sole accomplishments of character, which it tends to dispose him to cultivate. But, if the profession be thus in its nature, not necessarily connected with any extraordinary polish or illumination of mind; it follows, that all the discipline, the evolutions, the manœuvres of the modern warfare of fire-arms, may be acquired, together with those arms, by an host of barbarians; whose barbarism will not hinder them from attaining every degree of perfection in the military arts; and will at the same time give them a hardness to endure toil, a fearlessness of danger, a bold prodigality of life, a rugged firmness of nerves and muscles, such as soldiers levied from among the gentry, husbandmen, and artisans of a polished and luxurious people, cannot at all equal. No; it were but mole-eyed philosophy which should tell, that an host of invading barbarians, should they triumph over our arms, would, however, be themselves civilized, before they could once more overwhelm Europe in darkness and oblivion: All our superiority in the military arts might be easily acquired by barbarians, who should, yet, at the same time, learn nothing of the illumination of our science, or the refinement of our manners. If such a catastrophe shall

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shall be for ever averted ; its prevention will be the effect of other causes, not of that change in the system of the military arts, which has resulted from the invention of fire-arms.—One great benefit, however, which social life seems to have derived from this invention, is, that the inequality between the foldier and the servant of the useful arts of peace, has, by its means, been, in a good measure, taken away. The knight clad in complete steel, was, in the darker ages, equal to an host of naked peasants : His armour made him invulnerable : Against the force of his strokes, they were defenceless. But, it is now no longer so : The foldier wears no coat of mail : The peasant or the artisan, can easily charge and discharge his gun : The use of the gun, and all the parts of the military exercise, are so readily to be learned, that the peasant who has equal force and activity, needs not to look upon himself as at all inferior to the trained foldier. To this, in a considerable degree, is to be attributed that decline of the importance of the military order in society, which has so conspicuously taken place in the course of the period elapsing between the fourteenth and the nineteenth century.

Com-
merce.

BUT, although the use of fire-arms and artillery, for the first time in Scotland, in the former part of the fourteenth century, may appear to be an event which was, in the progress of time, to be followed by many

many consequences of extraordinary importance ; ^{SECT. II.} and was to suggest many speculations eminently ^{A. D.} interesting and useful : Yet other things crowd ¹³³²⁻¹⁴²⁵ upon our attention ; and forbid us to dwell longer upon so seducing a subject of reflection and research. Commerce, particularly, although not flourishing in Scotland, especially during the first part of the period under our review ; nor consisting in other articles of traffic than have been already enumerated ; was however diligently encouraged as a branch of industry, by some judicious acts of legislature, which happily throw some light upon its state. After the more troublesome years of the reign of David the Second had passed, when the old laws were revised and enforced, and new laws enacted, to supply deficiencies of regulation : It was then carefully provided for the benefit of commercial industry, that burgeses and stranger-merchants should enjoy the same protection and free intercourse of buying and selling throughout the land, which they had been anciently known to enjoy. Wool, being now the grand staple commodity which Scotland furnished for exportation ; a standard-weight was ordained to be provided by the King's Chamberlain, for the just weighing of the wool in every royal burgh. Money being in those days held to be wealth, in a peculiar manner, and by way of eminence ; the exportation of it out of the realm was solemnly prohibited. Per-

SECT. II. mission was freely granted to all the subjects of the
kingdom, in one of the parliaments of Robert the

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Third, to purchase meal, in any place within the kingdom where they could find it exposed to sale, without being confined to their own immediate neighbourhood, or any one other particular place. As a proof of the importance of the fishing of salmons, as a branch of trade and industry, it is worthy of remark, that the slaughter of salmons in the seasons understood to be allotted for their breeding, and recruiting in plumpness and strength, was rigorously forbidden, under the penalty of a fine of not less than one hundred shillings. At the same time, articles of mere game, valuable more for the amusement found in pursuing and taking them, than for any intrinsic utility for food or clothing to man, were carefully protected for the sportsman. The slaughter of hares in time of snow was forbidden under the penalty of six shillings and eightpence: Provision was, with equal care, made to prevent the burning of heath upon the moors, at a time when it might destroy the nests with the eggs or young of the moorfowls. The standard of weights and measures was also carefully reviewed in the parliaments of Robert the Second; traced through its progress and variations from the days of David the First; and fixed at those points which seemed best to suit the circumstances of the time. The inch was declared

clared to be equal in length to three full-sized ^{SECT. II.} grains of full-grown barley ; or to the breadth of ^{A. D.} the human thumb, measured at the root of the nail. ¹³³⁷⁻¹⁴

Of these inches there went thirty-seven to make up that greater measure of length which was called King David's ell. A pound was to consist of fifteen ounces, each weighing thirty-two penny weight ; a stone of fifteen such pounds, but of only twelve London pounds. A gallon was to contain twelve pounds of water ; a boll to consist of twelve gallons. These weights and measures were enjoined to be used alone throughout the realm : Yet was it impossible to cause to be universally adopted throughout all the remote parts of the kingdom, or on the domains of all the great barons, who claimed for themselves peculiar jurisdictions. To protect the markets against the dishonest artifices of butchers and fishmongers ; the offering of foul swine, or corrupted salmon to sale, was rigorously forbidden, under the penalty of the forfeiture of the articles which were thus fraudulently and illegally exposed in the market*.

BUT the regulation of the coinage was still an ^{Coinage.} important matter of public concern. Possessing so few materials for commercial exportation, and demanding many articles of foreign produce or

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manufacture;

* Fordun. passim :—Regiam Majestatem :—Winton :—
Fœdera, &c.

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manufacture; the Scots could not yet obtain from abroad any considerable quantities of the precious metals. Gold was far from being plentiful in Europe: Silver, indeed, more abundant. Scotland itself was not without native mineral stores of both, but such stores as the Scots were still very far from knowing how to avail themselves of. In these circumstances, then, there was necessarily a very great scarcity of the precious metals in the traffic of the Scots. Whatever stores of gold and silver might have been formerly imported, were either seized by the rapine of plundering invasion, or carried away by the clergy, to be expended in bribes and splendid expence at the Romish Court, or drained away by that Court for indulgences, dispensations, and in various other forms of exaction, or paid away for articles of luxury and decoration, or laid out in the purchase of arms and the other apparatus of war. Not much current coin was required to circulate in the interior traffic of a country, of which the inhabitants were far from numerous, and were not at all accustomed to those varied accommodations which industry provides. The clergy, the barons, the peasantry, were, for the greater part, content with consuming the native productions of the land, nearly in the state in which they were afforded by nature, and without conveying them to any great distance from the spots on which they were originally

ginally produced. The interchange of commodities was not, in this case, so very complex, nor did they pass through so many different hands, as to require their distribution to be aided by the circulation of the medium of money in any very large abundance. But, however small the quantity required, if the quantity actually possessed, were still smaller; this last quantity would necessarily be found unequal to the uses to which it was applied. It was actually found so; being drained away by exportation, more copiously than it was returned through the channels of importing commerce. Fancying, that gold and silver alone, not the useful commodities which they represent, were wealth; the Scots were continually alarmed at the increasing scarcity of money which they felt among them; and endeavoured to prevent its departure out of the kingdom by statutes, and such other provisions as their unskilfulness in the science of political œconomy could suggest. Their provisions were, for the most part, vain; the precious metals which they strove to confine, still, Proteus-like, eluded their grasp. The ransoms of their captive King and nobles drew out of the country, larger sums of money than could be returned into it, either by occasional subsidies from France, or in ransoms for prisoners taken in battle by the Scottish warriors. Besides, even the growing prosperity of the kingdom in the days of the two first of the Stewarts, beginning to demand a larger

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SECT. II.  larger quantity of circulating coin for the uses of
 A. D. trade, than the wealth of the land could yet supply,
 1330-1425 tended to produce an inconvenient scarcity of money, which was in truth a symptom not of the misery of the people, but of the improving condition of wealth and industry in the land. Those valued articles, too, of foreign manufacture which were procured from abroad, although they might continually occasion the exportation of the ready money out of the kingdom, yet did not, by that, so much impoverish the nation, as to a careless observer they might seem to do. The money was carried away; but instead of it there was fixed in the country—in the works of architecture, in household-furniture, in the utensils of art and labour, in a thousand other forms, a quantity of value, which was not to be destroyed but by the slow lapse of time, which could not be removed or squandered away, and which served not only to enrich the land by its actual value, but also to awaken new ingenuity, to prompt to new industry, and to unlock all the springs of national opulence. Yet, it must be confessed that, in the advantages of revenue, which the Kings sometimes endeavoured to derive from their authority over the coinage and the regulation of money, there existed a cause of the deterioration of the coin, and of the diminution of the money in the kingdom, which cannot

not be referred to any circumstances connected with rising prosperity*.

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IN that period which is the subject of this Fourth Book of our History, new coins were still, from time to time, struck; and from time to time the scarcity of the precious metals continued to suggest the idea of coining still a greater and a greater number of pieces of coin of the same denomination out of the same weight of metal. The coins of the reign of David Bruce were groats, half-groats, pennies, half-pennies, and farthings: Aberdeen and Edinburgh were the places of their coinage. They were at the rate of about twenty-nine nominal shillings out of the pound; and one groat appears to have been about seventy-two grains; the penny, by an unaccountable inequality, only thirteen grains; the half-penny nine grains. The coinages of the reign of Robert the Second were struck at Edinburgh, Perth, and Dundee. They were of the same variety of denominations, as those of his predecessor; but the weight was still diminished, so that the groats of this King's coinage have been found to weigh only from fifty-six grains to sixty-four and an half: Out of the pound of silver, these coinages produced from twenty-nine shillings and four pennies, even to thirty-three or thirty-four shillings.

The

* Fordun. &c.

SECT. II. The same species were also struck, during the reign
 A. D. of Robert the Third, at Edinburgh, at Perth, and
 1330-1425 at Dunbarton. The reduction of the value was
 still continued; so that, out of the pound of silver,
 there was now coined not less than from thirty-
 two to fifty shillings out of the pound Troy of sil-
 ver; and the weight of the groat was proportion-
 ately diminished. All this money was coined of
 silver alone. Gold coins were rare; the use of copper
 was not yet introduced into coinage. A remarkable
 statute of King David the Second determines the
 quantity of shillings, as above stated, to be coined
 out of the pound of silver; and, at the same time,
 acquaints us with some of the regulations of the
 mint, by ordaining; that of the nine and twenty
 shillings and fourpence to be coined out of the
 pound of silver brought by any person into the
 royal mint for coinage; seven pennies should be
 retained for the King's use, one for the warden of
 the mint, eleven for the master of the money and
 the workmen for their pains in the coinage. It is
 also to be remembered, that beside increasing the
 number of shillings to be coined out of their no-
 minal pound of silver, the regulations of the Scot-
 tish mint, at this time, likewise lessened the weight
 of the pound by the abstraction of ten penny weight
 from it*.

THE

* Anderfoni Diplomata:—Cardognell's Numismata:—
 Pinkerton on medals, &c.

THE arts marking even the first aspect of the face of the country, architecture, navigation, war, commerce, and coinage which furnishes the moving engines of commerce; the most eminent divisions of human labour; were, in the fourteenth century, thus carried on in Scotland.—We have stopped to view only those things in which these arts, as practised in this period, strikingly differed from their condition in Scotland, in the period immediately preceding. To have minutely reviewed them through every part of the systems which they severally formed, had been too tedious, and could not have commanded that eager attention, wanting which facts and speculations, must ever be detailed alike in vain.

II. FROM the *labours*, we ascend to the KNOWLEDGE by which the Scots were, in general, distinguished during the course of the fourteenth century.

OF PHYSICAL KNOWLEDGE, they had, as yet, nothing that could be called science. Many were the facts, and even general facts, known to them concerning external nature. But, still these were not combined into science, nor viewed even among the clergy, with any thing of a philosophic eye. When the arts were improved; it was by imitation from

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from the arts of strangers, or by inventions, accidentally and undesignedly struck out; not by systematic research, by trains of skilfully imagined experiments, or by regular scientific induction. In Italy, in France, in England, science had already begun to revive. The illustrious Roger Bacon had made astonishing proficiency, even in physical science. But the remoteness of Scotland from Constantinople, and from Italy, the foci of scientific illumination; the poverty and barbarism of its people; the cares of its clergy, divided between the bustle of war, and the management of their domestic œconomy; were exceedingly unfavourable to the introduction of the physical science of the more enlightened nations of the Continent into this rude corner of a northern isle. Astrology conceiving vain ideas of a mysterious influence of the heavenly bodies upon the fortunes of mankind, can scarcely deserve any name allied even to mistaken science. Whether there might not be much more knowledge than that of the mere artisan or mechanical engineer, in the contrivances by which William Bullock, maintained the castle of Coupar against all the assaults of the besieging Scots, and again taught the Scots to conquer the resistance of the garrison of Perth, in spite of the strength of those works by which they were protected; is more than can be well ascertained, unless the detail of

the plans and expedients of Bullock, had been better preserved for our information.

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BUT, of all those things which crowd upon observation, when we consider the state of the Scots in respect to knowledge, during the thirteenth century, there is none more remarkable than the institution of the UNIVERSITY OF ST ANDREW'S. In Italy, in France, in England, the revival of some sort of learning had already given occasion to the institution of UNIVERSITIES; which were establishments of a monastic character, destined not merely for the exercise of religious duties, and for seclusion from the world, but for study and for instruction in the several departments of learning and science. *Students*, were encouraged to repair to them for the purpose of hearing the lectures of great masters; *fellows* were maintained for the continued prosecution of those learned labours which they had begun as students; and *professors* were appointed to teach and to read lectures; which were then the more necessary and the more valuable, because books were rare, and scarcely to be obtained, but by the rich and great. The first institution of such UNIVERSITIES was attended with wonderful success. They were long so few, that students from almost all the other countries of Europe, would eagerly flock to that particular country and city in which there was an University

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established.

SECT. II. established. Never did the ardour of that appetite
 A. D. for knowledge, which is naturally inherent in the
 1330-1425 human mind, more conspicuously appear. It might
 have been supposed, that the minds of all the inhabitants of Europe were so torpid under barbarism and ignorance, that no invitations of knowledge would rouse them from the *oblivious pool* in which they were sunk. But it was far otherwise. Hardly had Universities been sooner instituted, than all the ingenuous youth felt the charm of knowledge, and resorted to imbibe it, with a general eagerness which gave to the new seminaries the allurements of *fashion*. At Pisa, at Paris, at Oxford, the students were often many thousands. That ardour with which the lessons of the philosophers of ancient Greece, had been heard, was renewed amidst the glimmering darkness of knowledge in modern Europe: And the *Book of the Sentences*, and the dry volumes of the canon-law, and the quirking logic of a Duns Scotus, were studied with the same fondness with which the most famous philosophers of ancient Athens had been heard in the *Academy*, or in the *Lycæum*. If traced to its ultimate causes, this incipient revival of knowledge, will perhaps be found to have been owing chiefly to two things which have long been execrated, as having operated to prevent it. These were—the *grandeur and the secure establishment of the Romish Church and hierarchy*;—together with the

Genuine
 causes of
 the revival
 of letters.

the *now equally secure establishment of the feudal government throughout all Europe.* Until the Romish hierarchy attained the height of its opulence and authority; learning once lost from among its members, could not again become the object of their cares. Until the feudal governments were also permanently established, fiefs made hereditary, and certain kingdoms with stability fixed on sure foundations, within certain boundaries; such institutions as those of *Universities* for the instruction of youth and the propagation of knowledge, could not have been duely protected, nor readily frequented. Yet, to the operation of this grandeur of the hierarchy, and of the feudal governments, there was necessarily added in order to the revival of knowledge and the institution of Universities,—the influence of *commerce* exciting men's minds to new activity, and kindling up the light of knowledge where only sordid wealth was sought;—of the continual *correspondence* and intercourse which being kept up by the clergy of all other countries with Rome, tended to advance knowledge, by bringing into Italy whatever was known in other lands, and sending back the knowledge of Italy in return;—of the *accidental caprices* of a superstition which, while it sought by every mode of costly sacrifice, to propitiate the favour of heaven, hence came to be sometimes at a loss in its choice of means for varying the forms of its sacrifices, so as

SECT. II. to give them that distinction which might be supposed requisite to make every one of them duly acceptable.

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Particular
circum-
stances at-
tending
the insti-
tution of
the Uni-
versity of
St An-
drew's.

It was in the year one thousand four hundred and ten, that the first rudiments of a University began to be formed at St Andrew's, in consequence of a rising ardour for knowledge among the clergy and others resident in that ecclesiastical metropolis. Henry Wardlaw was then bishop of the see; James Bisset was prior of the monastery. About Whitsunday upon that year, before any regular institution of an University had yet taken place there; Lawrence of Lindores began to deliver a course of lectures, upon the *Book of Sentences*, with great applause; for he was a man distinguished equally by his profound knowledge of theology, and by the gravity and excellence of his life. On the *Canon-law*, the lectures were read by Doctor Richard Cornel, archdeacon of Lothian, and afterwards by other men of acknowledged eminence in that study. John Gill, William Fowlis, and William Croiser, were the first lecturers in *philosophy* and *logic*. These teachers continued their labours for two years and a half before the Pope's sanction could be obtained to authorise the institution, and to dignify it with the same privileges which other Universities enjoyed. It was on the third day of February, in the year one thousand four hundred and

and thirteen, that the anxiously expected bull was ^{SECT. II.} received from Rome. At the glad news, all the ^{A. D.} bells were rung; and on the morrow, which was ¹³³²⁻¹⁴²⁵ the sabbath, the clergy belonging to the Cathedral were all convened. The bull was solemnly read in their presence. By it the privileges of an University were granted to the new institution; and the bishop of St Andrew's, the founder, was nominated to be its chancellor. The priest and the congregation then solemnly sang *Te Deum*; walking in grand procession to the high altar. All then kneeling on the ground; the bishop of Ross, who assisted at the ceremony, pronounced a verse out of the Holy Scriptures, together with the collect in the service, beginning *Deus qui corda*. After these solemn acts had been thus performed; the rest of the day was devoted to festivity. Even all night long, the rejoicings ceased not, but bonfires were kept blazing in the streets; and wine and convivial mirth were plentifully enjoyed in the houses within. Not even thus content, the patrons of the University appointed another festival in honour of the important institution, to take place on the second day of March next. On this day also, the same ringing of bells, singing of hymns by the clergy, festive dances by the people, and the sounding of the solemn music of the organ, distinguished the important occasion. The bishop of Ross again preached; and in the procession, with an innumerable

SECT. II. merable multitude of the common people, there
 A. D. were no fewer than forty ecclesiastics in full orders,
 1330-1425 beside young friars whose noviciate was not yet
 past, and young men destined to the priesthood,
 but who had not yet attained the age of ordination.
 The venerable chroniclers who have recorded these
 circumstances of this important event, while they
 fondly dwell upon the particulars of the solemnities,
 by which it was celebrated; lament however, that after the
 institution of this University, the clergy, for whose instruction
 chiefly it was established, instead of availing themselves of its
 advantages, by a full course of study, were, in their days,
 wont to rest satisfied with such a mere smattering of
 knowledge, as might be acquired by a very short and partial
 residence at this seat of instruction*.

Reflections on
 the studies
 of this age.

LET it not move our contempt, that the THEOLOGY of the *Book of Sentences*; the CANON-LAW of the DECRETALS; LOGIC; and PHILOSOPHY; were the only branches of erudition and science, for the teaching of which there was provision made in this infant University. In all ages, institutions must be founded upon views of utility; these views must be regulated by the knowledge of nature and life which already prevails: And the savage who prefers some trivial object to another in our estimation of an hundred times greater value,

* Fordun. XV. 22 :—Boeth :—J. Major. Buchan. &c.

lue, is not to be by us contemned as weak; but his ^{SECT. II.} approbations and dislikes are to be marked as facts ^{A. D.} curiously characteristic of the action and re-action of ¹³³⁰⁻¹⁴²⁵ the human mind in a peculiar combination of circumstances. The institution of this seminary of education was in a particular manner destined for the education of the clergy. The learning taught in it, was therefore to have a particular reference to the duties and qualifications of the clerical state: Except those four branches of learning, none else were accounted of sufficient gravity; none else were directly applicable in the discharge of the clerical functions; nay, scarcely any others beside these, had as yet an existence. Even the canon-law, the book of sentences, the logic, and the philosophy, would operate on the minds of the scholars of that age with an awakening, an irradiating, an inspiring force,—scarcely less powerful—than that with which—the discovery of the forgotten manuscripts of the immortal works of the literary heroes of Greece and Rome; or the invention of printing, which at once endowed knowledge with all those millions of tongues which have been poetically ascribed to fame; or the more recent discoveries of the first principle of the harmonious movements, and the relations of all the parts of the system of material things,—and of that consent of utility and order, which is the basis of all the laws of the moral world; have flashed through the intellect of
man,

SECT. II.

A. D.

1330-1425

man, and have aroused it from paralytic torpor to pure sensorial vitality. We pass, in the progress of social improvement, as it were through a series of wonderful and interesting landscapes; each so totally different from all before it, that the scenery it presents, is, of necessity, like to nothing that could be before conjectured concerning it. It is as if we wandered through a fairy palace, or through some enchanted wilderness; in which, at every step we advanced, new objects were still to arise, fitted to excite our utmost surprize and astonishment. And could the institutors of the University of St Andrew's, but have conjectured, what an active elasticity of mind hostile to priestly artifice and usurpation, was to be awakened by the teaching of that science and erudition, which seemed indispensibly requisite as qualifications for the sacerdotal profession; they would undoubtedly have shrunk back with terror and abhorrence from the generous attempt they made. Prior to this period, the Scots had begun to resort with great diligence, not only to the Universities of Italy and France, but still more to the nearer ones of England, for the purposes of scholastic study. John Barbour, the distinguished author of a metrical history of Robert Bruce, in the year one thousand three hundred and fifty-seven, while he was already archdeacon of Aberdeen, obtained permission from the King of England, to repair to Oxford for the prosecution of his studies,

with

with three scholars likewise attending him from Aberdeen. And in the same year, a more comprehensive letter of passport, was granted by the English King, permitting Scottish scholars in general to repair freely to either Oxford or Cambridge, for study, during the next three years, secure from all molestation. It is probable, that in the progress of the fourteenth century, the resort of scholars from Scotland to the English Universities, became so considerable, as to alarm the patriotic clergy of Scotland, and to suggest the propriety of the institution of seminaries for instruction at home, which might take away the necessity of such frequent emigration for the purposes of study. Besides, the institution of Universities being once begun, and having become an object of general attention among the dignified ecclesiastics and the princes of Europe; it was natural that some of the excellent and eminent among them, should long continue to contend for the honour of being distinguished as the founders of such institutions. The munificence of the Balliols had already provided a college at Oxford for the reception and accommodation of the Scottish students: But while the very name of Balliol was unpopular in Scotland; the patriotic Scots would not wish that their studious fellow-countrymen should avail themselves even of Balliol's benefactions.—It is remarkable; that no long time had passed from the æra of the institution of the University of St

SECT. II.
A. D.
1330-1425
The Scots
studied at
Oxford.

VOL. III. N n Andrew's,

SECT. H. Andrew's; till its members found an opportunity
 A. D. of taking an eager part as theologians and canon-
 1330-1425 ists, in a grand ecclesiastical controversy, by which
 all Europe was set at variance with itself. The
 council of Constance had deposed Pope Benedict
 the Thirteenth from the pontifical throne; as be-
 ing unable by other means, to settle those distur-
 bances which had been excited in the church by
 the cabals and contentions of a number of rival
 pretenders to the papacy. Instead of him, they
 had exalted Guido Colonna, who, upon his inau-
 guration, assumed the name of Martin the Fifth.
 To win the Scottish church to desert the cause of
 Benedict, and to own the authority of the council,
 and of the Pontiff whom it had nominated; there
 came messengers from Sigismund King of Bohe-
 mia; and from the council itself, the venerable ab-
 bot of Pontiniac. But the duke of Albany, then
 Regent, and the Scottish clergy were more zea-
 lously attached to Benedict, than the people of any
 other kingdom in Christendom. At the instiga-
 tion of the Regent, Robert Harding, an English-
 man, a master in theology, undertook to defend
 the rights of Benedict against the authority of the
 council, and the persuasions of its ambassador.
 The whole members of the University arose with
 one voice against him. Supported, however, by
 the Regent, he withstood them with great pertina-
 city of argumentation, and bitterness of invective.

A

First con-
 troversy
 of the Uni-
 versity of
 St An-
 drew's.

A general assembly of the national clergy was con-^{SECT. II.}
voked to meet at Perth, for the purpose of coming ^{A. D.}
to a determination between Benedict on the one ¹³³⁰⁻¹⁴²⁵
hand, and on the other Martin and the council.
Before that assembly, Harding with great zeal sup-
ported in a long disputation, the cause of the for-
mer. He was opposed by Mr John Elwood, rec-
tor of the University, and by other theologians,
whose talents and learning were in high estima-
tion. The dispute was conducted with much mi-
nute subtlety and coarse invective. At last, the
propositions maintained by Harding were solemnly
condemned; the authority of the council of Con-
stance, the cause of Pope Martin, the logic of the
University of St Andrew's, triumphed. And this
was the first important public occasion upon which
this University was led to exert itself publicly as an
umpire of controversies, as a guardian of the or-
thodoxy of the church*.

As to elegant learning; it had not yet made any ^{Elegant Literature.}
considerable proficiency among the Scots. Those
eminent men of reputed Scottish origin, who have
been said to have distinguished themselves in the
conversion of the ancient Germans, among the li-
terary ornaments of the court of Charlemagne, in
exalting the fame of the University of Oxford, or
in adorning that of Paris; a Boniface, an Alcuin,

a

* Warton's history of English poetry :—Fordun. XV. 24. 25.

SECT. III. a Michael Scot; a John Duns Scotus, a Scotus
 A. D. Erigena; seem to have acquired and displayed
 1330-1425 their learning so much more in foreign countries,
 than at home; it is so uncertain whether they were
 actually Scots by birth, and not rather natives of
 some other country; and of the monuments of
 that learning which made them once, illustrious,
 the remains are so small; that it appeared vain to
 labour to bring them forward into any conspicu-
 ous place in the history of the literature of Scot-
 land, for the age in which they lived. Nor was
 the learning attributed to them, of the elegant kind.
 Ascetic piety and the mummeries of superstition,
 scholastic theology and logic, the vanities of astro-
 logy, or the mysterious manipulations and preten-
 ces of alchemy, have afforded the only grounds
 upon which their reputation has been built.—But,
 Scotland, during the present period, if it have in
 science, nothing greater to boast of, than the lec-
 tures and disputations of the members of the newly
 instituted University of St Andrew's; has however
 some specimens to shew of increasing attention to
 the art of elegant popular composition, and to the
 improvement of its vernacular language. The
 monks amused their leisure, by composing many
 small copies of verses, some in the vernacular lan-
 guage of the country, others in the Latin tongue,
 the dialect of the services of their religion. FOR-
 DUN, and his continuators, have inserted many
 of

of these in their chronicle, which serve as specimens ^{Sæc. II.} of the taste and genius of the times, of which they ^{A. D.} have preserved the history. Whether in the impure ¹³³⁰⁻¹⁴⁴⁵ Latin which was then in use, or in the vulgar language; they are still distinguished by such a fantastic attention to the tricks of alliteration and the tinkling of rhymes, as seems to have withdrawn their cares from the production of impassioned sentiments, or vivid imagery. The following verses ^{Poetry.} cited by Fordun, as a popular imitation of a well known passage in the prophecies of Isaiah, are eminently beautiful;

“ And for swet smell at thi nose, stink sall thou find;
 “ And for thi gay gylt girdyll, a hard strop sal the bind;
 “ And for thi crisp kell, and fair hair, all bellit sall thou be;
 “ And as for wild and wanton luik, nothing sall thou see;
 “ And for thi semat seeming cote, thi hair sall be unset;
 “ And for thy paintit face and proud heart, in hell sall be
 “ thi set.”

To feel, with due conviction, the beauty of these verses, it is requisite that we remember that such words in them, as may sound to our ears familiarly mean, had not then lost, by frequent and degrading use, all susceptibility of delicacy and dignity in expression. But we have lost that original accentuation and pronunciation of the words, which may probably have given melody to whatsoever may seem harsh in the versification: And although the versification were even to the ears of the contemporaries

SECT. II. ries of the poet, as harsh as it is to ours; yet in that
A. D. infancy of poetical composition, harshness might
 1330-1425 seem melody, while there was nothing but rugged
 unmeasured prose to compare it with. Another
 translation of a satyrical passage against the fair
 sex, from an author of the name of Babius, is
 more gay and humorous in the cast of its senti-
 ments and imagery.

Curious
 satire on
 women.

" The unlatit woman the licht man will lair,
 " Ganges coitand in the curt, hornit lik a gait,
 " Als brinkand as a bole in frontis, and in vice,
 " Mair venumit is hir luke than the cockatrice,
 " Blythe and bletherand in the face, lyk ane angell,
 " Bot a wisse in the tail, lyk a draconnell,
 " Wyth prik-youkand eeris as the awlk gleg;
 " Mare wily than a fox, pungis as the cleg.
 " Als sikir for to hald as a water-cell;
 " Bot as true in her toung as the mekyl deil."

These verses; composed from the Latin of Babius, either by some poetical monk of the reign of David Bruce, or of the two first Stewarts,—or perhaps by John Fordun himself, who lived within the period, which is the subject of this Fourth Book; are not inferior, either in the expressive energies of the language employed, or in the vigour of conception with which the poet appears to have apprehended the subjects of his verses, and the allusions by which he illustrates them,—to any of those many passages in the great contemporary English poet Chaucer, which are addressed to the same theme

theme of invective against the female sex. This ^{Scot. H.} theme of invective was naturally a favourite one, ^{A. D.} in an age which was at once gross and luxurious; ¹²³⁰⁻¹⁴⁵⁵ in which so large a portion of the community devoted themselves to a celibacy that was often unchaste; and in which, too, from the narrowness of the range of the ordinary knowledge of the age, the subjects for poetical composition were necessarily not numerous. Versified lessons of piety or morality, legends of saints, tales of the adventures of knight-errantry, songs celebrating the heroic deeds of patriots and heroes in their actual battles against the enemies of their country, and some few ditties of love, were the only other popular species of poetical composition, at this time, common in Scotland*.

BUT, in this age flourished John Barbour, arch-^{John Barbour.}deacon of Aberdeen, whose metrical history of the life, achievements, and reign of Robert Bruce, is one of the finest poems which were in this age composed in the vernacular language of any of the nations of Europe. Barbour was born before the year one thousand three hundred and thirty. Either his genius, or the influence of his relations and friends, early recommended him to the distinguished preferment of the archdeaconry of Aberdeen. We have seen that it was in the year one thousand three hundred and fifty-seven, he went with three scholars

* Fordun. XIV. 30, 31.

SECT. II. lars attending him, to prosecute his studies at the
 A. D. English University of Oxford. He was a procura-
 1330-1425 tor for the bishop of Aberdeen in a general con-
 vention of the nobles, clergy, and burgesſes, which
 met at Edinburgh in that ſame year, for the pur-
 poſe of negotiating a treaty for the ranſom of
 King David Bruce. In the year one thouſand
 three hundred and ſixty-five, he obtained permis-
 ſion to travel through England towards France,
 with ſix horſemen attending him. It was eight
 years after this that he finiſhed his hiſtory of Ro-
 bert Bruce. This work was not only the firſt con-
 ſiderable compoſition written in the vernacular
 language of Scotland; but the firſt profeſſedly hiſ-
 torical work, in which any part of the hiſtory of
 the ancient Scots was recorded in detail. It may
 be regarded as a ſort of imperfect epic poem; for
 the expulſion of the Engliſh out of Scotland, and
 the eſtabliſhment of the national freedom of the
 Scots, are the connected ſubjects of which it treats,
 and which it conducts to a happy accompliſhment.
 As a hiſtorical work, again, it imperfectly com-
 bines the two methods of *annals*,—and continued
hiſtory attentive to the progreſs rather of events
 than of time. Among the Scots, when Barbour
 wrote, there burned an ardent ſpirit of national
 freedom, naturally kindled and maintained by the
 long conteſts in which they had been engaged, and
 which were ſtill, from time to time, renewed; and
 this

this spirit breathes a fire into Barbour's poem, ^{SECT. II.} such as his genius would perhaps have been other- ^{A. D.} wise unable to animate it with. His genius is ¹³³⁰⁻¹⁴²⁹ evidently of the middle class, incapable of the sublime, the deeply pathetic, the awfully terrible; the impressively picturesque; but lively, and capable of apprehending, and of communicating all its conceptions clearly. The style is a dialect of the Anglo-Saxon, uninfected with any considerable intermixture of Norman French; and although with somewhat more of Gaelic; yet not with so much as might form any considerable proportion of the whole system of phraseology.—His merits in the respect of historical fidelity, have been permitted to reflect a praise upon his poetry; which it could not otherwise have obtained: Or, perhaps, the comparison of his works with the writings of the contemporary poets of other nations; together with that happy fortune which has preserved his style from becoming obsolete; may have tempted unskilful judges of poetical excellence, to exalt him with an unmeaning extravagance of applause. It is probable, too, that the great and deserved popularity which this poem long enjoyed, by reason of the national importance of its subject, and its own intrinsic merits; may have contributed somewhat to fix the phraseology in which it is written, and to prevent it from falling so speedily as it might otherwise have done,

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SECT. II. into general difuse. So highly was the work of
A. D. Barbour esteemed for historical accuracy, even at
1330-1425 no long distance of time from the period of its
 original composition; that Winton has, of pur-
 pose, declined, to record in full detail, all the tran-
 sactions of the reign of Robert Bruce; alledging
 that this task had been performed by archdeacon
 Barbour, in such a manner as might well be sup-
 posed to supersede all subsequent attempt*.

BLIND, HENRY. OF nearly the same age, yet probably so much
 later as to have flourished during the first half of
 the fourteenth century, was the famous **BLIND**
HENRY, the author of the metrical history of the
 adventures of William Wallace; a writer who,
 although no less a favourite with the vulgar, than
 Barbour, has not been honoured with the same
 approbation of the pretenders to taste and erudi-
 tion, either in regard to historical veracity, or to
 the poetical beauties of his work.

IN respect to historical veracity, it must be con-
 fessed that **BLIND HENRY** cannot be justified. He
 speaks of an original Latin history of the life and
 adventures of Wallace, which may indeed have
 existed, but is now no longer to be found. His
 narrative occasionally agrees more or less perfectly
 with the facts related by Fordun, or by the English
 historians

* Fordun. L. XII :—Winton. Book VIII : Pinkerton's
 edition of Barbour's life of Bruce.

historians of the same period; but often differs ^{SECT. II.} from them, and contains many adventures of which ^{A. D.} they say nothing, and which contradict general ¹³⁵⁰⁻¹⁴²⁵ probability.—It should seem that Henry, being most probably a blind, mendicant friar; possessed that activity of mind, for which persons labouring under the misfortune of blindness, have, in many conspicuous instances, been distinguished. Barbour's life of Bruce was then in every hand, on every tongue. The achievements of Wallace, as well as those of Bruce, were the theme of universal admiration and fond applause. Henry's emulation of Barbour, and admiration of Wallace, were excited together. In the solitude of blindness, in the gloom of perpetual darkness, he cheered his pensive mind, by expressing in verse, whatever information he could obtain concerning the deeds of that patriot hero whom Barbour had left unsung. But, unwritten tradition cannot long preserve a faithful memorial of any series of facts: If there were any written records of the deeds of Wallace preserved in any of the monasteries; yet Henry, under the disadvantages under which he was necessarily placed, could not readily have access to every one of these: He was obliged for the most part to accept the popular tale of those adventures which he had resolved to sing; and in that tale, the real acts of Wallace were confounded with many of those of Bruce, of the Douglasses, and of other

SECT. II.

A. D.

1330-1425

other Scottish heroes; as well as otherwise disguised by popular and traditional inaccuracy and extravagance : When he had composed his poem, he could not himself commit it to writing ; he could not, like Barbour, secure it from corruption, by depositing it in the libraries of the monasteries, or among the great : It was intrusted to the common people; and was probably spoiled by their fondness, as their favourites commonly are. Hence the origin of those inaccuracies in fact, which obviously disfigure Henry's poem. Hence it is, that we have not dared to employ it as a genuine historical authority, except only where its testimony was confirmed by graver evidence. Henry had, however, made the most effectual provision for perpetuating his own name, and for eternizing the fame of this hero.

WHEN these deductions have been made from the merits of HENRY's work, considered as a record of history ; high applause may be with confidence challenged to it, as a poem, the production of a rude, unlettered age. So far is it from being inferior to the work of Barbour in poetical excellence ; that it, on the other hand, rises as much above it, in this respect, as it is inferior in historical utility. Barbour's work has been often said to excel Henry's no less in beauty than in truth : But, when the judgment was pronounced, regard was
had

had not to the sentiments, the imagery, the diction, ^{SECT. II.} the versification of the two poems, but to other ^{A. D.} accidental and extrinsic qualities upon which ge-¹³³⁰⁻¹⁴²⁵ nuine taste would never found its judgments. Henry's work does not indeed possess the advantage of the same epic unity of design as that which characterises the poem of Barbour: It is merely a metrical life of William Wallace; not including the commencement and completion of any one great action; unless perhaps we should regard as such, Wallace's unceasing struggle to free his country, and in his death the final disappointment of all his hopes and efforts. Barbour's poems is in rhyming couplets of eight syllables in the line; but Henry's in similar couplets, of ten syllables in the line, possessing that sonorous dignity of versification, which taste has approved as the quality belonging to this measure, more than to any other in the English language. There is an energy, a condensation of thought in the lines of Henry, which far surpasses the feebler verses of Barbour. The exordium of his first book, is extremely happy, closely pertinent, but neither so pompous as to promise mighty things which cannot follow, nor so trivial as not to excite the reader's expectation.

“ Our

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A. D.
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“ Our Antecessoris yat we fuld of reide,
And hald in mynde their nobill worthy deide,
We lat ourslide, throw werray slouthfulness,
And cast us evir till uther befynes.

Till honour ennymys, is our haile entent,
As has beyne seyne in yir tymys bywent.

* * * * *

Thit we fuld thynk one our bears befor.

* * * * *

We reid of ane rycht famous of renoun,
Of worthi blude that ryngs in yis regioun:
And henefurth, I will mey proces hald
Of Wilzham Wallace, as ye haf hard beyne tald.”

THERE is uncommon force and compression of thought in the following enumeration of the evils which the English usurpation had inflicted upon the Scots,

“ Quhen Saxon's blude into yis realme cummynge,
Wyrkand the will of Edward that false King,
Mony gret wrang yai wrocht in yis regioun,
Destroyit our lords, and brak their byggyngs down,
Both wiffs an wedowis they tuk all at yair will,
Nonnys madyins quham thai liket to spill.
King Herod's part yai playit into Scotland,
Of yong childer yat yai befor yaim fand,
Ye Byschypprys, that war, of gretast wale,
Yai tuk in hand of yair Archbyschops haile:
No for the Pape, thai wald na kyrks forber,
Bot gruppyt all be violence of wer.
Glaskow yai gaif, as it our weil was kend,
To Dyocye of Duram to commend.

Small

Small benefice that wald yai nocht persew
And for the ritch full worthy clerks yai flew.
Hangyt Barrownys, and wrocht full mekill care,
It was weylle knawyn, in the Berneys of Ayr,
XVIII score putt to yat dispitfull dede,
Bot God abowyn has send us sum ramede”.

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If we can for a moment forget, that the phraseology of these lines has lost in part its dignity by becoming familiar, and its grace by waxing obsolete; we shall not fail to discover in them an energy of thought and expression, more worthy perhaps of the orator than of the poet, but such as none but a man of powerful genius would easily display.

THE disguise in which Wallace was hidden from the pursuit of the English, is in the same first book, painted with great poetical, and even comic force.

“ A *roussat gown* of her own sche hym gaiff
Apon bis weyd, yat covrit all the laiff;
A fowdly courbe our hed and nek leit fall,
A wowyn quhyt hatt sche brassit on with all;
For yai suld nocht lang tary at yat in,
Gaiff hym a rok, syn set hym doune to spin.”

THERE is all the fire, the pathos, the majesty of the epic poem in the description of Wallace’s combat with the Englishmen at Ayr, which is contained

SECT. II.

A. D.

1330-1425

ed in the second book; in the fine reflections in which the poet sympathizes with the sufferings of his hero; in the lamentation which he ascribes to the friends and kindred of Wallace; in the ardent, and highly characteristic soliloquy which he makes the unfortunate warrior pour forth in his dungeon. The tenderness and fidelity of Wallace's foster-mother are beautifully natural and interesting, and are expressed with the most masterly skill; while the intervention and the prophecy of Thomas the Rhymer, are introduced at the very season at which they are the most wanted for the purpose of reviving, exalting, and extending the reader's expectations. The portrait of Fawdown, in the fourth book, is drawn with the hand of a painter, skilful to make colours, lines, and attitudes express with the most striking effect, all the force of a peculiar and interesting, although unpleasing character.

“ To Wallace there cam ane yat hecht Fawdown,
Melancoly he was of complexioun,
Hewey of statar, dour in hys contenance,
Sorrowfull, sadde, ay dreidful but pleasaunce”.

In this same fourth book, the mixture of deceit, unthinking levity, and tenderness in the character of Wallace's mistress at Perth, are described with a felicity and a skill which have rarely been excelled, and will not easily be equalled. The strong necessity

cessity and the violent irritation of mind by which ^{SECT. II.} Wallace was urged to slay his follower Fawdoun, ^{A. D.} with all the circumstances of his flight from Perth ¹³³⁰⁻¹⁴²⁹ to Stirling, are related, in the fifth book, with a fire of sentiment, with a skilful selection of particulars, with a picturesque exposition of imagery, with an happy simplicity of expression, clear, yet forcible, which could not have been exhibited by any but the true poet. That Henry's life of Wallace has always been, even more than the life of Bruce, a favourite with the vulgar, is a proof that the merits of poetical composition, are ever to be most surely estimated by its power to impress the feelings, to kindle up the passions, to seize, to suspend, to chain down the attention. That critics should have preferred the poetry as well as the history of Barbour's work, is a proof, that critics are sometimes apt to decide without examination, to mistake one quality for another, and to fancy that so great a man as an archdeacon must necessarily possess higher poetical genius than a blind itinerant bard, even at the distance of so many centuries after death has made both the rivals equal*.

SUCH are the most remarkable specimens which ^{Language.} yet remain, of the success with which the vernacular language of Scotland was cultivated in literary composition, during the fourteenth and in the beginning

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* Morison's edition of Blind Harry's life of Wallace.

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ginning of the fifteenth century. It is remarkable, that the style of these two works of Barbour and Blind Henry, are almost without variation, the language still spoken by the peasantry of the middle parts of Scotland, wherever they inhabit at a distance from any considerable town. There is, perhaps, in every language, a certain range of phraseology which is early appropriated to the uses of familiar life, which expresses objects of perception that can never cease to be regarded, and modes of feeling, thought, and action which can never wax obsolete; which is equally remote from fordid debasement and from stilted elevation, from slovenly vulgarity, and from pedantic affectation; and which, therefore, while the stamina of the language endure, remains almost unchanged, amid the endless fluctuations of that phraseology which belongs to the arts, the manners, the literature which the progress of social life is continually conducting through new variations of form. This system of phraseology for the language of Scotland, seems to have been in these poems attained. The Scottish dialect, such as they exhibit it, consists chiefly of words purely or derivatively Anglo-Saxon. With these are intermingled a number of words borrowed from the Latin which was then employed in the service of the church; a few from the French; a more considerable proportion from the Gaelic; and if we could with sufficient clear-

ness

ness and precision, discriminate the Norse or Danish SECT. II.
from the Anglo-Saxon,—perhaps also, no small A. D.
number of words and phrases, introduced from the 1330-1425
former of these tongues.

OF this age was also JOHN OF FORDUN, whose JOHN
FORDUN.
LATIN Chronicle is the most authentic record of
the ancient History of Scotland. He was an emi-
nent priest and preacher; but had not been ho-
noured with any degree in any university. Having
made collections for the whole history of his coun-
try, down to his own time, he was however pre-
vented by death or other circumstances from con-
tinuing it beyond the end of the Fifth Book. He
lived about the middle of the fourteenth century,
and was contemporary with Wardlaw bishop of
Glasgow, whom he relates to have furnished him
with the genealogy of King David. The style in
which he writes, is more clear and expressive, than
could well have been expected from the times in
which he wrote. His reading too appears to have
been extensive. His morality is pure and manly.
A careful perusal of his work, will not fail to ex-
cite more respectful ideas than are usually enter-
tained of the monks of this age. His piety appears
to have been superstitious and weakly credulous.
There is so little of priestly knavery apparent in his
work; that he may be reasonably supposed to have
himself believed all those things which he relates in
favour of the high pretensions of the church. It
was

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was the texture and colour of his mind, not priestly imposture, that produced whatever in his chronicle may be hastily execrated as the falsehoods of priestcraft. His book was received in all the Scottish monistaries; and was continued by different hands*.

Proper
names.

THE PROPER NAMES of persons began, in the course of the fourteenth century, to be fashioned more and more into that form which they were ever afterwards to bear. *Patronymicks*, or words distinguishing this or that man, as descended from some particular ancestor, began to be employed as permanent family-surnames. The *names of hereditary offices* began to be used to distinguish, not merely that person in the family who bore the office in question, but to be communicated throughout the whole family. It was thus, the *patronymicks*, *Thomson*, *Maxwell* for instance, became ordinary surnames: Thus *Stewart* originally the appellation of a great office, came to be used as the most illustrious family-name in Scotland. The names of lands, too, which had been originally assumed, as expressive of some natural or accidental quality, belonging to the land; which had been communicated to their respective possessors, in order to denote the relation of property; were now at length adopted as common family-names, applicable to all the children of the man to whom this or that estate belonged:

* Fordun.—Prefat. V. 60. VII. 1.—Nicolson's Scottish Histor. Libr. P. 83.

belonged : *Douglas, Dunbar*, and innumerable o-^{SECT. II.}
 ther names of the same species, were thus commu-^{A. D.}
 nicated first from places to persons, and from single¹³³⁰⁻¹⁴²⁵
 persons to families. To strangers, not as yet dis-
 tinguished by any illustrious, appropriated name,
 the names of their respective countries, were now
 applied. Hence the origin of the names *Fleming,*
French, Inglis, Ireland, and in England, or in its
 border, of the surname of *Scot*. Burghesses, or inha-
 bitants of towns, were denominated from the towns
 to which they respectively belonged,—as *John of*
Perth, William of Edinburgh, Alexander of Dundee.
 Names of occupations were still in frequent use a-
 mong the inferior people ; as for instance, *Alan*
Steerisman, John Goldsmith, John Mercer, Maurice
*Skinner**.

ALL those acknowledged *relations of persons to* ^{Laws.}
property, of individuals to one another,—of indi-
viduals to the community,—and of the community to
individuals ; which are specified and described in
the laws of any country ; may be otherwise viewed
as expressed in the Political Law, in the Civil
Law; in the forms of the executive government of
that country. In the account of the legislation of
the Scots during the fourteenth century, therefore;
departing from that rigorous philosophical method
which it was endeavoured to observe in explain-
 ing

* Fordun. *passim* :—Appellations and signatures in Ry-
 mer's *Fœdera* and Anderson's *Diplomata*.

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ing the history of the laws of Scotland in the former books; let us here follow this new form of distribution, for the sake of enlivening by novelty of form, a subject which its natural dryness and austerity might, otherwise, perhaps render too uninteresting. We shall contemplate the same expanse of horizon, but shall take our observations from a different point of view. We shall erect an edifice of the same dimensions, and affording the same accommodations as before, but varied only in the distribution of the chambers.

CIVIL
LAW.

By the CIVIL LAW is not, here, to be understood that body of institutions, the most stupendous monument of Roman grandeur and wisdom, which having been, some time before the commencement of the present period, revived in Europe, after it had been long buried nearly in the same oblivion as all the other precious relics of ancient literature; served greatly to mitigate the ferocities, and to enlighten and explode the absurdities of the old feudal laws, but, at the same time, tended scarcely less to break down, to constrain, to destroy that high spirit of aristocratical freedom, which formed the very soul of all the feudal institutions. The CIVIL LAW, of which we here treat, is the law which, during this period, regulated in Scotland, the reciprocal rights and duties of private citizens.—The long reign of David the First had first given Scotland something like a formal system
of

of laws, composed by the collection and recording of those customs of dominion and civil intercourse; which had prevailed among the Scots, the Picts, the Strathclydians, and the Anglo-Saxons of North-
 umberland; by an imitation of the written laws of the Anglo-Saxons; by adopting some principles from the precepts of the gospel, and the ancient laws of the Jews; by adding some forms of judicial procedure, suitable particularly to the convenience, and the practice of the time; and by moulding the whole into one rude yet venerable contexture. To confirm, to enlarge, or to alter those laws of David, new acts were, as we have seen, from time to time, passed, in the successive parliaments of his successors, Malcolm, William, and the two Alexanders. Time and the permanent continuance of regular government still added new weight and authority to the whole system of the laws. At the accession of each succeeding king, new obedience to them was still vowed; every meeting of the estates in Parliament, recognised their authority; every appeal to a court of justice for decision in cases of disputed right, every execution of punishment upon offenders against the peace of the community, still confirmed the power, and exalted the majesty of the laws. But, in those times of distraction and confusion, which ensued after the death of Alexander the Third, their influence was subverted. Even for a while after the expulsion of the English, Robert Bruce, notwithstanding

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 Recapitulation of the previous history of Laws in Scotland.

SECT. II. standing the new acts of legislation passed in his
 A. D. parliaments, could scarcely reduce his barons to a
 1330-1425 quiet obedience to legal power, peacefully enforced.

Randolph was cut off by death in the midst of a vigorous administration, which, if prolonged, might have at once given new energy to law, and effectually repulsed invasion. Until the few last years of the reign of David Bruce, the laws, from the circumstances of the times, the invasions of the English, the weakness of a regency, and the uncontrollable boldness and ferocity of the barons, were necessarily without efficient vigour. In the reign of Robert the Second, while his son, the duke of Albany, administered the functions of government for him, and afterwards for Robert the Third; the laws were enforced with some degree of vigour. In the latter period of the regency of Albany, and in that of his son Murdac, disorder and lawless licence began to wax, every day, more and more insolent.

Laws against
 feuds, robbery,
 and theft.

OF those violations of *Civil Law* which the most flagrantly disturbed the peace of the community, the most striking were private feuds, robbery, and theft. In the reign of David Bruce, therefore, it was earnestly enacted, that no earl, or other person in authority, should, for money, or in favour, suffer thieves and robbers to escape from the punishment due to their crimes. A fine of great value was awarded as the penalty to be exacted from him whose

whose negligence or wilful guilt had thus set at ^{SECT. II.} nought the peace of the community. It is how- ^{A. D.} ever remarkable that the fine was to be paid not in ¹³³⁰⁻¹⁴²⁵ money, but in cattle. Perhaps this peculiarity might be observed, of purpose, to accommodate the decree to the use of the northern and western Highlands, where such disorders were most frequent, and where money was still rare: Perhaps, this might be only an ancient law revived, or accidentally inserted into the collection of David's statutes. Whoever should be accused of theft, was ordained, in the same reign, to acquit himself of the accusation, by the modes of judicial purgation, already received in the law. He who could not thus evince his innocence, was to undergo immediate punishment. Amid the disorders of the war which had so long wasted the land, the boundaries of estates had not been always scrupulously respected, but men had in time of danger and scarcity trespassed upon one another's lands for necessities to themselves and their cattle, without expecting to be punished or called to account for what the circumstances of the times seemed to render unavoidable. That order and security of possession which David endeavoured to restore, was to take away all necessity for such mutual trespasses. A law was enacted to prohibit them, but was not enforced by any peculiar sanction. In the journeys of men in this martial age, from one part of the

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kingdom to another; while such travellers were still in arms, were but slenderly furnished with necessities, were exceedingly prompt to feuds and lawless licence, had no certain highways by which to pass; rapine and injury were frequently committed by the passengers, and were almost as often eagerly anticipated or retaliated by those thro' whose possessions they held their way. This evil had been carried to a very great height, amid the disorders under which the Scottish government laboured during David's captivity. To remedy it, a statute was enacted to regulate the order in which such journies were to be performed, the respect and gratitude with which hospitable entertainment was to be requested and received, and the kindness and liberality with which it was to be administered. Pilgrims passing to visit the tombs, or shrines of saints, were by law faithfully protected from injury. The poor who had no other guardian against rapine and oppression, were commanded to bring their complaints to the King and his officers; and it was beneficently ordained, that their goods should be protected, as if they were the goods of the King, and the redress of their wrongs prosecuted, as if they had been wrongs done to him. Even the slaughter of a dog, an animal at this time exceedingly valuable as a watch against thieves, as a docile and active assistant in the management of cattle, as a guard against the ferocity of beasts of prey;

prey ; was to be punished by the exaction of a fine ^{SECT. II.} from the offender, such as should be equivalent to ^{A. D.} the damage sustained by the person whose dog was ¹³³⁰⁻¹⁴²⁵ destroyed. At a subsequent period in the same reign, private war was earnestly forbidden. The rights and liberties of burghesses were recognized, and declared to be within the full protection of the King's peace. All bakers and brewers, or at least retailers of ale and bread, were, on the one hand, enjoined to afford entertainment to strangers; while, on the other, those who were thus received, were commanded, under the penalties of law, to pay the just price of those articles of entertainment, with which they had been supplied; a provision of legislation, this, which bespeaks the intercourse of peaceful travelling, to have been becoming more frequent, and towns to have been now eagerly resorted to by persons from the country. The evils of disorderly travelling about in arms, were continually renewed, and even again, in the same reign of David the Second, called for another statute to restrain them; which was, however, in all probability, far from being completely effectual. The barons and other military men had been accustomed to compel the possessors of rich ecclesiastical benefices, to support for them both men and horses, in winter, and during the intervals of cessation from warfare. This might be necessary during the times of the struggle against the English

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lish : But, it was oppressive ; and was therefore carefully forbidden by a statute of the reign of David Bruce. As murders were frequent, and some signally atrocious deeds of assassination had been perpetrated in the course of this reign ; the King was persuaded not to grant a remission for such slaughters, without the advice of his parliament ; and it was ordained that a rigorous inquest should still be made into all the circumstances of the crime. In the reign of Robert the Second, it was still found that insufficient provision had been made for the suppression of private feuds, and for the prevention of frequent assassination. A sort of new code of laws, for this purpose, was enacted in this reign, of which it is almost the only legislative remain. Murder maliciously intended, was in it carefully distinguished from casual slaughter committed at the impulse of sudden passion ; and provision was made for bringing the murderer to justice in almost every diversity of circumstances. Death and the confiscation of goods were the punishments for the crime. In the reign of Robert the Third, new statutes were again found requisite for the suppression of the disorders of private war, rapine, murder, and pillaging expeditions by the inhabitants of one district against those of another. The former prohibitions were renewed ; and the penalties of death and confiscation were again awarded. In addition to these particulars, it seems

also

also to be of importance to state, as an instance of ^{SECT. II.} the imperfection of the criminal jurisprudence of ^{A. D.} Scotland in the reign of David the Second; that a ¹³³⁰⁻¹⁴²⁵ man reputed a thief by the consenting voice of the inhabitants of three baronies, was to be hanged without enjoying the full benefits of a fair and regular trial; ill fame so general being accounted equivalent to the strongest and fullest proof*.

AFTER those which guard the security of life and property from violence and rapine, one of the next ^{Laws respecting the transference of property in land.} in importance among the classes of the civil laws, is that which regulates the succession to the possessions of a deceased proprietor, and the transmission of property from one possessor to another by contract, or by testamentary bequest. To obviate those mischiefs which threatened to arise from the frequent claims by ancient proprietors or their heirs, upon lands which, amid the confusions of the wars with the English, had passed into other hands; particularly, to restrain new claimants from violent attempts to dispossess present proprietors; it was, in the reign of David Bruce, ordained, that no person should attempt to regain possession of an estate which was in another's hands, by any abrupt call upon that other to surrender it, or otherwise, than by an appeal to the verdict of an assize or jury, and by prosecuting

* Regiam Majest :—L. L. Dav. II :—Rob. II :—Rob. III.


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secuting his claim through the ordinary and regular forms of justice. As fiefs granted from the King to any of his subjects were granted as well to provide for the King's service, as for the benefit of the person in whose favour the grant was made; and since evils of the most dangerous tendency might easily arise from the transference of any such fief to a stranger unfriendly to the sovereign's interests; it was therefore enacted, during David's reign, that any such transference made without the King's permission, should be punished by the forfeiture of the fiefs thus transferred. To prevent that oppression which was liable to be exercised by surreptitious inquests into the possession of lands, for the purpose of transferring them to new heirs, to the injury perhaps of the heir whose rights were preferable; it was carefully provided in the parliament of Robert the Third, which sat at Scone in the year one thousand and four hundred, that briefs of inquest should not be in future served otherwise than after notice legally given in a manner sufficiently public, and at a due distance of time before the execution of the inquest. Upon the event of the death of the youngest brother of a family without heirs descended from himself, the inheritance of any lands which he might have acquired, was to fall not to the eldest, but to the youngest of his surviving brothers. Vassals had attained such consideration in the state, that the superior lords under

der whom they held, were no longer permitted to ^{SECT. II.} alienate the superior rights to a vassal's lands ^{A. D.} without his consent. It was chiefly for the benefit ¹³³⁷⁻¹⁴²⁵ of the more powerful barons, vassals to the Crown, that this statute was enacted; and it accordingly provided, that when any earldom should be conferred upon a new earl, the barons possessing estates within that district, should not, contrary to their own consent, be compelled to hold their lands from him, but should still, as before, continue to be freeholders immediately under the Crown. The scope of this act seems to have been either virtually, or intentionally directed to exalt the smaller barons, to strengthen the authority of the Crown, and gradually to reduce the dignity of earl to a merely nominal honour. In the legal prosecution of actions for the recovery of lands, of which the possession was disputed; it was provided, that if the one party had immediately before the commencement of the litigation, dispossessed the other by a forcible ejection; then the first step in the process should be, to restore the person violently ejected, before the rival claims could be examined and decided upon. Those cases were carefully fixed, in which it was lawful for the superior lord to take provisionary possession of the lands of his vassals. Widows were protected by all the authority of the law against any who might violently strive to dispossess them of their lawful dowries. It was ordained

SECT. II.  dained that minors should not be obliged to pay
A. D. usury for debts of their predecessors, continuing
1330-1425 due during their minority. Tenants or vassals
 were obliged to attend in the courts of their superior lords, and shew, at his demand, by what rights they held those possessions in which they were his vassals*.

Laws respecting trade.

SEVERAL of the laws enacted during these reigns, respected the intercourse of traffic. Of this nature was a statute of David Bruce, which enjoined, that money of the coinage of England should be received wherever offered in payment in Scotland, at the full value at which it was delivered out from the English mint. Stranger-merchants were by another law of this prince, protected in all the fair transactions of their traffic, as fully as the ancient laws of the kingdom had provided for their protection. The prohibition to export money out of the kingdom was renewed in the laws of David Bruce, as it had often been before. The provision for the striking of new coin equivalent in weight and fineness to the current money of England, bespeaks the attention of the legislature in the reign of David, to the wants of traffic. Of hardly less importance was the statute directing the King's chamberlain to provide in every burgh, a house and just weights for the weighing of wool, and to appoint an officer to oversee while it was weighed, and

* L. L. Dav. II :—Rob. II :—Rob. III.

and to have the proper accommodations always in ^{SECT. II.} readiness. At a second period in the reign of Da- ^{A. D.} vid, a new coinage was ordered by law; but that ¹³³⁰⁻¹⁴²⁵ coinage was no longer directed to be equal in value to the coinage of England. The payment of such large sums of money for the ransom of the King and other prisoners, had drained away the precious metals, so that a quantity equal to the coinage wanted for ordinary circulation, could scarcely be found. The diminution of the intrinsic value of the coin was amidst this difficulty, an obvious expedient. Another law of David Bruce ordained that neither money, horses, oxen, nor cows should be transported out of the kingdom without the payment of certain duties of transportation to the King, in certain specified proportions to the value respectively of the articles exported. To this class also belongs that act of the reign of Robert the Third by which freedom of trade for the purchase and sale of provisions within the kingdom was granted to all the King's subjects. Weights were also carefully regulated by a new law in the reign of Robert the Third, the object of which seems to have been to fix, if possible, an uniformity in the use of these, which has ever been desired, but does not seem likely ever to be completely attained. That act which forbade the exposure of provisions in a damaged state, to sale in the market, has been already noticed, as an in-

SECT. II. stance of a curiously minute attention to the regulation of the police*.

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Single
combat.

CONCERNING the practice of *single combat*, there occur some regulations which shew that recourse was still not unfrequently had to it in cases of judicial procedure. It had become a means of enormous oppression against the people of inferior rank. An act passed in the reign of David the Second for the purpose of regulating the practice of single and judicial combat; provided that all landholders possessing their lands by military tenure, or even in any other way, if it were only by charter; should be at liberty to challenge to single combat, any person whom they should please to accuse of rapine, murder, or any other crime; and might then provide a substitute to fight for them with the person accused, at the bridge of Stirling, in the King's court, or in any other court. But, on the other hand, it was enjoined that husbandmen, persons of base blood, and persons of inferior rank who wanted property in land; although permitted, indeed, to make the same appeal to single combat; should not be allowed to fight by substitute, but should be compelled to contend in person. To accuse, therefore, and challenge to single combat, might be matter of sport to the proud baron or knight. To the humble peasant, unskilled in the exercise of arms, to accuse his superior, was to take

* LL. David. II.—Robert I. II.—Robert I. III.

take his life in his hand, and to bare his bosom to the sword of his adversary. In the reign of Robert the Third, it should seem that various evils had been found to spring from the frequency of appeals to judicial combat; for, an attempt was made to subject them to regulations, having an obvious tendency to diminish their frequency. It was ordained that judicial combats should no longer be permitted, unless the crime of which the defender was accused were capital; unless it were an act of secret treachery; unless the accusation were founded upon suspicions which, although strong, could not be proved by witnesses, or written deeds of any kind, nor by any other means, except by combat*.

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As to the POLITICAL LAW, or that which regulated during this century, the constitution of the state, and the functions of the monarch and his parliaments; this seems to have undergone several virtual changes. During the absence of David Bruce in France, during his captivity in England; the power and authority of the Crown appear to have been not a little diminished. While there were in the land two rival parties, owning two different sovereigns; impunity for crimes, uncontrolled licence of action, the appropriation of whatever any one could conquer with his sword, were the conditions which the adherents to both parties

* LL. Davidis II.—Robberti III.

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State of
the mon-
arch's
power.

parties would naturally claim in reward of their fidelity. The administration of the regents Andrew Murray, Archibald Douglas, and even Robert Stewart, was so weak and destitute of energy, that they seemed to be rather the temporary leaders of a horde of savages going upon some occasional enterprize, than the rulers of a people subject to stable government, and to the fixed authority of a monarch. The assassinations and deeds of rapine which were so frequently perpetrated during this period, are remarkable proofs of the weakness and inefficiency of the sovereign authority. David, in the latter part of his reign, wanted time and popularity to enable him to restore the declining energy, and to recover the alienated possessions of the Crown. Stewart, adding his own private property to the domains of the Crown, might thus indeed, in part, restore its lustre by the augmentation of that wealth which was indispensibly necessary to support its dignity. But in the feeble reign of Robert the Third, the duke of Albany impoverished the Crown to enrich his own family; while he, at the same time, relaxed the reins of government, to avoid irritating those barons, whose earnest fidelity to their sovereign, and to the rights of the Crown, might have thwarted the designs of Albany's personal ambition. During the weak administration of his son Murdac; the Crown was almost entirely stripped of its few remaining

remaining possessions, and the government was ^{SECT. II.} dissolved into almost total anarchy. During this ^{A. D.} period, too, some powerful nobles had attained to ¹³³⁰⁻¹⁴²⁵ extraordinary wealth and influence. The earls of Douglas, by fidelity and brave services, indeed, which could hardly be too amply rewarded, had acquired almost the independent principality of the whole south-west counties. The lord of the isles, the descendant of Somerled, the ancestor of the Macdonalds, had extended his power over all the western isles, and over extensive territories on the contiguous mainland. By his defeat at Renfrew, by the descent of the Norwegians, by the immediate consequences of the battle of Largs, the family of Somerled had been greatly humbled in their power, and in the extent of their possessions. Of the territories of which they were deprived, a considerable part, and particularly the district of Lorne in Argyle, had been given to enrich the family of Alexander Stewart, their conqueror. But, amid the troubles which attended these long wars for the succession to the Scottish throne, and for the defence of the national liberties of the Scots; the attention of the Scottish government being withdrawn to the side of England, left the insular chieftain at liberty to extend his authority, and to usurp the possession of new territories, by which he was raised to an invidious height of greatness. Sinclair, earl of Orkney, too, was, in some sort, prince

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prince of those isles : But they indeed were so remotely connected with Scotland, as not to arm him with any exorbitant power to resist the authority or disturb the government of his sovereign*.

Decline
of the
feudal in-
stitutions.

AMID this decline of the wealth and authority of the Crown, the ancient provisions of the feudal system began to be found inadequate for the expence of the executive government. For the demolition of the castle of Jedburgh, retaken out of the hands of the English in the year one thousand four hundred and nineteen, during the administration of the duke of Albany ; it was enacted, that a tax of two pence should be levied for every hearth ; because the strength of the walls rendered it exceedingly difficult to destroy them ; the military vassals of the Crown could not, by the conditions of their tenures, be compelled to perform this service ; and the treasury of the Crown was not sufficient to pay the workmen whom it would be necessary to employ in this petty labour. But, Albany, afraid to provoke the rage of the common people by the actual imposition of the tax which had been decreed, declined to levy it, and commanded the necessary expence to be defrayed out of the revenue of the King's customs. These customs were levied, as a branch of the royal revenue agreeably to a statute of the reign of David the Second. For every pound of silver carried out of the

* Fordun.—Leshæi Res Gestæ :—Buchanan.

the kingdom, the custom to the sovereign was forty pennies; unless the person exporting the money could prove that it was only for his own personal expence. For every horse exported, the custom was forty pennies out of every pound of the price of the horse. For each ox or cow, the custom was twelve pennies. Persons detected in attempts to evade the payment of the King's duty upon money by exporting it secretly, were to be fined in twenty shillings for every penny of the money which they thus attempted to export. Actions at law for the recovery of these duties, were to be brought before the King's justiciary, while he made his ambulatory progresses. For the encouragement of commerce, however, it was provided that strangers should pay no duties for the exportation of money which they had themselves previously imported into the kingdom. This was now one grand source of the royal revenue. It promised to become more considerable, while it was regulated by law, not arbitrarily exacted. For the acquisition of money, it was the most obvious means which remained in the sovereign's power. The continual alienation of the royal domains was to render it still more and more an object of the utmost importance to the Crown.—Another source of revenue to support the royal dignity, was found in the seizing of goods from subjects, for the King's use, whether to accommodate him in his progresses through the kingdom,

or

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or to answer the necessities of his household at any fixed place of his residence. Grievous oppression had been often exercised upon the subjects under the pretence of the exercise of this prerogative. David the Second was therefore persuaded to consent to the wishes of his Parliament, who required, that such seizures of goods for royal use, should not take place except where there was a prescriptive right to exercise them, and that ready payment should always be made for whatever goods might thus be seized. At a subsequent period in the same reign, it was found necessary to enlarge the King's power of seizing, at a low price, goods for his own use, by permitting such seizure of cattle, barley, and other such things to be made in all parts of the kingdom, in the exterior as well as the interior counties, in Cantyre, Knapdale and Arran, as well as in Fife or Lothian : and it is remarkable, that in the act establishing this new regulation, provisions of all kinds are said to abound in those regions of the western Highlands. Beside all this, the royal revenue was farther supplied from the fines levied in the King's courts of justice, and the fees exacted from the litigating parties—for the decisions, and for putting such decisions into full execution. Whether to enrich themselves, or to increase the emoluments of their sovereign, it should seem, that the King's judges had been occasionally accustomed to negotiate compositions

compositions of debts between pursuers and defenders in actions before them; for this practice had arisen to be such a grievance, that in the reign of Robert the Second, an act of Parliament was passed against it. After the payment of the allotted fees to the judges, all the other emoluments arising from the distribution of justice, appear from various acts of the reign of Robert the Third to have been always paid into the King's exchequer.—Such were the other sources of the royal revenue—beside the crown-lands, and the ordinary feudal services of the military vassals of the Crown, and the other freeholders who possessed their lands by immediate charter from their sovereign*.

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THE authority of the feudal Parliaments of Scotland during this age, was necessarily very great. To maintain their sovereign upon his throne, and to protect the independence of the nation, innumerable services were required, beside those which the vassals of the Crown, were by the conditions of their respective tenures, bound to perform. These services could be discharged only by the spontaneous courage and patriotism of individuals, or by the consent of a majority of the estates of the kingdom, assembled in Parliament. Amidst any occasional pauses from warfare against foreign foes, there were many intestine disorders to be represented.

Parliament.

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* LL. Davidis II.—Roberti II.—Roberti III.

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fed which the King wanted power to repress. These circumstances in the state of the nation called for frequent interpositions of the parliamentary counsels and authority of the King's vassals; and every exertion of extraordinary energy in the parliament, still gave the united barons new ability to oppose any encroachments of the royal power. The acts of the parliaments of David Bruce, and of his two immediate successors, contain an unusual number of concessions from the Crown, detracting from its prerogatives, and mitigating whatever hardships there might be in the feudal servitudes. It was impossible that the Crown should not become relatively weak, while it was on the one hand stripped of its domains, and on the other continually subjected to new limitations of its prerogatives. But, the same augmented authority of the united barons in parliament, which seemed to check and enfeeble the royal authority, served rather to inflame the insolence, and to augment the private force of every individual baron. The crippled step, the palsied arm of the executive power, could not with sufficient energy and activity carry those laws into execution which the parliament had enacted. The barons often decreed, with sufficient alacrity, whatever seemed the most likely to preserve and to enforce public order; but, after such acts were passed, each baron strove to enjoy impunity for himself; and unless moved by the resentment of some private

private quarrel, was content to leave his neighbours to the same lawless freedom of action. Of this there occurs a striking proof in the frequency with which the same laws were re-enacted in successive parliaments in these reigns, and in the many awkward expedients which appear to have been often vainly employed to enforce them. The parliament was still composed, as formerly, of all the barons, ecclesiastics, and burghesses, who were free, and held lands by immediate charter from the Crown. The burghesses, whose service was partly military, in part menial and pecuniary, appear to have been permitted to hold a very conspicuous place in the grand national councils. They assisted at these, only by deputies; but it does not appear that those deputies were by any precise legislative regulations restricted to any particular number. In those conventional assemblies of the nation which were held for the purpose of concerting means for accomplishing the liberation of David Bruce; only Perth, Edinburgh, and Aberdeen, were represented, each by three deputies. For all the other burghs, only two representatives from each, attended. Upon the same great occasion, the bishops and their chapters, the abbots and priors, with the subordinate members of the bodies over which they respectively presided, were, in like manner, represented by deputies. These deputies, again, after the

SECT. II.

A. D.

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Sacr. II. the conditions of the treaty for their sovereign's
A. D. ransom had been almost finally settled, delegated a
1330-1425 few out of their number, as did also the nobles, to
 repair to England for the last ratification of that
 treaty. The delegates from the burghs, were the
 representatives of Edinburgh, Perth, Aberdeen, and
 Dundee, alone. When a considerable, partial
 payment was to be made of the ransom due for the
 liberation of David; John Mercer of Perth, and
 Roger Hog of Edinburgh, were the persons em-
 ployed in making the payment*.

Dignities
 and Titles
 of Nobil-
 ity.

As to the honours and relative dignities of the
 nobility in this period; these had begun to vary
 from their primitive character; but still, however,
 retained so much of it, as easily to shew what ori-
 ginally it had been, and by what gradual changes
 they had passed from their former to their present
 state. The *great officers of the King's court* were
 properly the chief nobility of his kingdom; the
 marshal, the constable, the steward, the justicia-
 ries, and all the other officers, who enjoyed high
 authorities for the discharge of the duties of their
 respective offices, within the King's domains, and
 over his vassals. These, however, would have
 composed but a very small body of nobility. The
earls, properly the military leaders, and the civil
 judges

* L. L. Dav. II :—Rob. II :—Rob. III :—Fordun. passim :—Fædera T. VI. P. 38, &c.

judges in their respective earldoms or shires, were ^{SECT. II.} like the others, also officers of the Crown; enjoyed ^{A. D.} only as being such, the name, the authority, the ¹³³⁰⁻¹⁴²⁵ dignity, of earl; and lost the title of earl with the authority over the district to which it was affixed:—and these composed the main body of the higher nobility. The honours they enjoyed, were official and territorial, not personal. Other territorial honours, inferior to those of the earls, belonged to the barons. *Baron*, a Norman word, nearly equivalent to the Anglo-Saxon *thane*, does not appear to have been known in Britain, before what is called the Norman conquest of England. In the distribution of the forfeited lands after that event, the country seems to have been divided into *baronies*; and the possessor or possessors appear to have been bound to furnish for every *barony*, an equal number of armed men for the King's service. With the territorial property was naturally connected a civil jurisdiction over the baron's sub-vassals, which gradually incroached upon the jurisdiction of the earl and sheriff of the district, as theirs did upon that of the Crown, which their proper office was only to administer. The institution of *barons* had, in Scotland, now long superseded that of *thanes*. It was posterior to that of *earls*; yet had before this period, obtained a complete establishment throughout the kingdom. But, the privileges of the barons,

SECT. II.

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barons, and those of the earls, soon appeared to be in a certain degree, incompatible. Not absolutely by the original nature of the office, but, in that arrogation of new power to which the earls aspired, when their fiefs became hereditary, all the possessors of lands within an earldom were often reduced to the condition of sub-vassals to its earl. But, this arrangement was inconsistent with the privileges which the barons claimed; was directly and powerfully hostile to the prerogatives and lawful authority of the Crown. It was, therefore, ordained, that, when any earldom was conferred from the sovereign upon a new possessor, the barons within that earldom should not, in consequence of this event, be compelled to place themselves in vassalage under the subject earl, but should still remain as perfectly as the earl himself, freeholders under the Crown. The powers and immunities of the barons thus augmented and guarded by law, tended to impair those of the earl, and in part to counteract the evils which accompanied the feudal aristocracy in its full vigour. By the immunities of the *baronial* courts, and by their exemption from vassal-dependency upon the earls, the barons became, in some measure, so many petty earls; and it seemed as if in this instance the Crown had adopted the maxim;—*divide; and command*. Yet, it was not by any plan of policy; but only in a necessary obedience

dience to the demands of progressive events, that SECT. II.
 this measure so humiliating to the greater nobility A. D.
 appears to have been pursued. By another con- 1330-1425
 ccurring cause, too, was the power of the earls
 gradually diminished in no inconsiderable degree.
 The King, whenever he had new grants of lands
 to bestow, might, at pleasure, erect them into a
 barony or an earldom: The ambition of the fa-
 vourites of their sovereign, who were to be grati-
 fied with such grants, naturally led them to aspire
 to the highest jurisdiction and honours that could
 be attached to their new estates: And hence was
 the number of earldoms continually multiplied,
 and their extent narrowed, till one county and the
 jurisdiction of one sheriff, came to comprehend se-
 veral earldoms; and the earls scarce differed at all,
 from simple barons. *Knight*, a name signifying
 originally neither more nor less than soldier and
 freeman, was the first honorary title, which came
 into use in these ages. In the progress of the feu-
 dal policy, it had soon ceased, in most of the coun-
 tries of Europe, to be so merely honorary, as it had
 at the first been; it was connected with a certain
 fee in land, and with certain military services due
 to the knight's feudal superior. In England, even
 in the middle of the fourteenth century, military
 service had become so burthen some and disagree-
 able; that freeholders enjoying knight's-fees in
 land,

SECT. II. fions of military service, many of them, from time
 A. D. to time, found opportunity to emancipate them-
 1330-1435 selves from the low servility of their original situa-
 tion. None of the *churls* were restrained from
 aspiring to the higher honours of military tenure,
 if they should shew themselves willing to perform the
 generous and perilous services attached to it.—While
 the southern burghs of Berwick, Roxburgh, and
 Jedburgh, were reduced to ruins, or withdrawn
 from the kingdom of Scotland by the English; the
 more northern burghs arose to a pre-eminence
 which had not previously belonged to them. The
 burgh of *Crail* in Fife, appears from the transac-
 tions concerning the liberation of David Bruce, to
 have had existence in this period. Aberdeen,
 Dundee, Perth, now arose to be places of no small
 comparative importance. Money, which was in
 such high estimation; the manufactures of the in-
 genious mechanic arts, which were as yet rare;
 all the precious rarities of foreign importation pas-
 sing into the country through the hands of the
 burghesses; gave them an importance in the king-
 dom which they could not otherwise have possessed.
 It is remarkable that Aberdeen in particular ap-
 pears to have had a traffic, probably in salted fishes,
 with England at this period; for there is a letter di-
 rected from the English King to the inhabitants of
 a place on the eastern coast of England, command-
 ing them to deliver up to James Henderson, ship-
 master

master of Aberdeen, a vessel and its cargo belonging to Henderson, which had been wrecked upon their shores*. Dundee, too, was, about the same time, of such consequence, as a sea-port-town, that Thomas, earl of Angus, being, for this very purpose, permitted by Edward to return home out of England, in which he was an hostage, procured from Dundee four armed ships, for one of Edward's expeditions to the Continent*.

SEPT. II.
A. D.
1330-1425

SUCH are the most remarkable facts in the history of Scotland during the fourteenth century, which fall naturally to be stated under the two heads of its *civil* and its *political* law. The spirit and the operations of the executive government might have been explained under the same heads. But, it may be perhaps a more perspicuous and popular, although a less precisely accurate method to place them, here by themselves. These transactions of the government naturally respected either the maintenance of internal order within the kingdom, or the protection of it by war or negotiations, against foreign foes.

As

* There exists likewise in Rymer's *Fœdera*, VI. a letter addressed from the King of England to the King of Denmark, claiming a wreck which, although spared by the people of the coast, had been seized by that King's officers; from which letter it appears that the English, in the fourteenth century, exported woollen cloth, to the coasts of the Baltic.

† *Fœdera*, T. VI.—Fordun, *passim*.

SECT. II.

A. D.

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Internal
order.

As to the maintenance of internal order ; this was the business, under the King, of all the great officers of his household, of all the earls, and all who were intrusted with military power, or with civil jurisdiction. The sheriffs were, however, in this century, the officers who ordinarily exercised the King's civil authority in the different counties. To act where anciently the King himself was wont to act in his continual progresses throughout the kingdom ; was the business of the justiciaries, of whom, as it should seem, there were now commonly two ; one for the northern, another for the southern counties. Many of the laws enacted during these reigns, were intended to regulate the distribution of justice by these officers. In the reign of David the First, it was ordained that the King's courts should be held in each sheriffdom for forty days in the year ; and that the bishop, the earls within the sheriffdom, the sheriff, and barons, with all persons accused of crimes, should be present at those courts. It was provided in the same reign with a solicitude bespeaking evils to have arisen from the act forbidden ; that no sheriff or justiciary, none of the King's officers should presume to execute any command, however sealed and transmitted to them, if it were obviously contrary to the existing laws. It was provided likewise, that justiciaries not giving legal and regular attendance in their courts, or acting by substitutes without the King's

King's permission, or for any cause under plausible ^{SECT. II.} suspicions as to their integrity and impartiality, ^{A. D.} should not be permitted to compel any person to ¹³³⁰⁻¹⁴²⁵ take his trial before them. It was enacted, that letters summoning any person to trial, if once issued from the office of the King's chancellor, should not be subject to be revoked. In the reign of Robert the Second, for the terrour of unjust judges, a decree was framed for the punishment of such judges when convicted of oppression and injustice, by the dismissal of them from their office, and the infliction of whatever farther penalty, the King's pleasure should appoint. In the reign of Robert the Third, it was provided by a particular law, that the King's judges should execute all letters of caption addressed to them from the clergy; and that any person aggrieved, or pretending to be aggrieved by the execution of such letters, should have recourse for redress, only to the conservator of the clergy, or to the general assembly of the ecclesiastical body. It was, in this reign, too, provided that the sheriff's clerk should be dependent, immediately upon the King, not upon the sheriff; an act of which the chief purpose might probably be, to prevent the sheriff from corrupting the records of his court, or from perverting to his own use, more than a due proportion of the emoluments arising from the exercise of his office. The sheriff was, about the same time appointed to provide himself

I

Sect. II. himself duely with copies of all the acts of Parlia-
A. D. ment. He was enjoined likewise to appear annu-
1330-1425 ally before the court of the King's treasury, to the
 end, no doubt, that he might render a clear ac-
 count of the fines and fees received from the caus-
 es tried before him. The justiciaries were like-
 wise, in the same reign of Robert the Third, com-
 manded to hold their courts, twice a year within
 each sheriffdom of their respective districts of ju-
 risdiction. At the same time, the authority of the
 justiciary was exalted; and the sheriff was direct-
 ly subjected to him; so that a justiciary was re-
 quired to examine whether the sheriffs faithfully
 discharged the duties of their office; and was im-
 powered, provisionally to remove any sheriff from
 his office, till the next ensuing meeting of the Par-
 liament, when the displaced sheriff should be
 brought to his trial before that great council, the
 only assize before which the nobility could be le-
 gally tried for great crimes. It was in the same
 reign directed, that the sheriff should summon all
 offenders against the King's peace, in every coun-
 ty, to appear for trial before the justiciary, at the
 time when he should hold his court within the dis-
 trict. Criminals fleeing out of one sheriffdom to
 another, were to be diligently pursued for the pur-
 pose of bringing them to justice, by letters from
 the sheriff out of whose jurisdiction they had fled,
 to the sheriff of that district within which they had
 fought

sought refuge. But, the King's jurisdiction had ^{Scot. II.} been here and there impaired by the institution of ^{A. D.} *baronies* or *lordships* of *regality*. By erecting such ¹²³⁰⁻¹⁴²⁵ a lordship, the King resigned to the person in whose favour it was erected, the right of taking cognizance for that particular territory even of those pleas, which were, in all ordinary cases, reserved for trial by the sovereign, his sheriffs and justiciaries. Within such a regality, neither sheriffs nor justiciaries belonging to the Crown had any power. The procuring of these erections, served, in a good measure, to counteract the effects of that levelling of the authority of the earls to the common standard of that of the barons, which at first promised to humble the higher nobility before the Crown. It was a favour frequently asked, and not unfrequently obtained, when the King continually needing the support of his barons, and having but small means in his hands to reward them, was obliged to grant away parcels of his authority, because he had not lands or other wealth to grant. An act of Robert the Second provides, that for the punishment of rapine and assassination, the same care should be taken in regalities as within the districts subject to the King's immediate jurisdiction; ordaining farther, that if the lords of regalities and their bailiffs, should fail in this care, the right to exercise it should then, in each particular instance, devolve to the officers of the King. Nay, by another act

SECT. II. act in the same reign, the bailiffs of regalities were
A. D. made subject to be called before the King's justici-
1330-1425 aries ; and in the case of their having failed duely
to enforce the laws within the limits of their jurisdic-
tion, were then to be punished with confiscation
of their lands and goods to the King, or to the
lord of the regality, or even with death at the plea-
sure of the sovereign or the immediate subject-lord.
Lords of regalities neglecting to punish their guilty
bailiffs, were amenable directly to the King, and
were to be, themselves, punished at his pleasure.
Within Lordships of regality, as elsewhere, criminal
courts were ordained by a statute of Robert
the Third, to be held twice a year. Almost all
the same regulations which respected regalities,
were extended likewise to jurisdictions of *barony* ;
with this difference, that in these last they were
less necessary, because these were subject to the or-
dinary jurisdiction of the King's sheriffs and justici-
aries. Such were the most remarkable modifica-
tions of the exercise of the executive authority in
the internal distribution of justice,—peculiar to
the period which is now under our survey*.

For the conduct of his wars, or for the enforcing
of the laws among his own subjects, the sove-
reign had, as yet no standing army, no mercenary
troops constantly retained in his pay. The feudal
services due from his military tenants, the sponta-
neous

* Regiam Majestatem.—L.L. Dav. II.—Rob. II.—Rob. III.

neous, patriotic efforts of particular barons, the ^{Sect. II.} resolutions of extraordinary services made by his ^{A. D.} Parliaments; were the only means of defence or ¹³³⁰⁻¹⁴²⁵ offence against foreign foes which he could employ. How well these were fitted to support a monarch on the Scottish throne, and to repulse all the hostilities of invaders, was illustriously shewn in all the wars of the Bruces, and of these two first of the Stewarts! For the purposes of internal government indeed they might often leave the hands of the monarch, weak. But, for foreign war they never failed to arm him with a powerful and vigorously active force: Sometimes it was at the command of the King; sometimes by the general voice of the Parliament; sometimes it was by the impatient valour of individuals, that military enterprises were undertaken against the nation's foes: In all these cases, there was a general eagerness and impetuosity to take arms and rush out into the field. It does not appear that war was ever undertaken or declared by the King's sole authority, while the Parliament were unconsulted: But, doubtless, the King still retained the right to command the military services of his vassals for the space of time fixed in their charters, even without allowing them a voice in the decision by which the war was commenced.—Truces, treaties of alliance, negotiations for the ransom of prisoners were the chief acts of peaceable intercourse with foreign

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U u

Kings

SECT. II. Kings and states, which the Scottish government
 had in this age, to perform. These the King or
 A. D. 1330-1425 Regent never conducted to a full termination,
 without asking the advice of the great national
 council. In that grand negotiation, by the success
 of which David Bruce was delivered from captivi-
 ty, all was managed by the general consent of all the
 three estates. The treaties with France appear to
 have been negotiated with the same caution. Not
 that the King was obliged by the fundamental laws
 of the monarchy, or by any new modifications which
 had taken place on these, to obey the advice of his
 Parliament, in every act of his intercourse with fo-
 reign states. But, he could fulfil no treaty far-
 ther than the obligations of his vassals to feudal
 services, and his own revenue arising from his do-
 mains and customs should enable him; unless his
 free vassals giving their consent to such a treaty,
 should thus pledge themselves to fulfil it, not
 merely with the feudal services which they neces-
 sarily owed to their Lord, but with their lives,
 their whole fortunes, and all the efforts of which
 they were capable*.

Records of the laws. SUCH, in the distribution of civil and criminal
 justice, in the combination, the proportions, and
 the exertion of the political powers of the state,
 were the laws and customs of the Scottish nation
 during the fourteenth century. Such of them as
 are

* Fördun. XIII. XIV. XV :—Fædera T. V. VI. VII :—
 Regiam Mæjæstatem, L. L. Dav. II :—Rob. II :—Rob. III.

are preserved in the general tenor of the unquestionably authentic records of the Scottish history, cannot but be genuine. Others of which the existence is known to us from the evidence of ancient written deeds, are entitled to equal credit. That collection of the laws of David the Second, and of the two Stewarts his immediate successors, which contains the great body of the statutes attributed to these reigns; agrees so satisfactorily with the manners and circumstances of the age to which it is attributed; derives such authority from the consent of history, wherever history could be expected to afford any evidence concerning it; and comes to us, so recommended by the authority of the earliest and most learned lawyers by whom it was examined; that we cannot hesitate to give it credit for almost all that complete authenticity to which it pretends. When the laws of the Anglo-Saxons are once admitted as the grand source of all the most ancient laws of Scotland; almost all the objections which have been urged against the genuineness of the books of the *Regiam Majestatem*, are instantly seen to vanish. If, in addition to this, it be considered that the old Scottish Parliaments might often rather sanction with their approbation, collections of the old customary laws already in use, than enact new statutes; and might therefore pass laws of which the preambles, enactments, and sanctions were adapted rather to a former, than to the

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A. D.

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the present time; we shall then scarcely fail to be satisfied that the greater part of that ancient assemblage of laws, is assuredly genuine. Errors of transcription, and mistaken dates there may be : Nay, a word, a sentence, a paragraph may have been here and there taken away or foisted in : But, laws are, above almost all other writings, secure against forgery ; because laws can never remain unknown ; their very enactment is a publication which declares them to a whole people ; if used in the distribution of justice, their validity, as well as their genuine sense cannot fail to be eagerly discussed. Judges, juries, parties, the whole nation have their eyes continually turned with so much vigilance upon the tenor of the laws ; that although a code of laws may be forged, yet such a code could never become the rule of juridical practice. Charters, epistles, historical records of many different sorts may be, all, much more easily fabricated than laws.

Civil Law
applied to
the practice
of the
Court.

It was about this period that legislation and the distribution of justice among the Scots began to be illuminated by the institutions of the Civil Law of the Romans. The Roman Law attained its most consummate perfection in the hands of those illustrious lawyers who adorned the reign of the Eastern Emperor Justinian. In the West, however, the incroachments already made by barbarians upon the provinces of the Roman Empire, had

even

even before, begun to contract the dominion, and to enfeeble the authority of those laws. In the subsequent establishment of those barbarians in all the provinces of the Western Empire, their own savage institutions were every where exalted upon the ruins as well of the civil policy as of the political establishments of Rome. The ancient laws of the conquered people, in some instances, gave a faint tinge of colouring to the new legislation by which they were superseded, and might perhaps not be every where universally forgotten; yet, during several of the darker centuries in the progress of the nations of modern Europe, they were either so generally unknown, or so little regarded, as to exert no influence upon actual legislature. When THE CONFIRMED STABILITY OF THE FEUDAL GOVERNMENTS, and THE HIGHEST EXALTATION OF THE HIERARCHAL WEALTH AND POWER, began, with joint efficacy, to arouse anew the industry of men, to awaken their curiosity, to stimulate their invention: that renewed intercourse which took place between Europe and the East in the closing days of the Eastern Empire, failed not to draw European attention at least slightly upon the laws and institutions which still reigned at Constantinople. The efforts of the clergy to strengthen themselves by their skill in jurisprudence, against the boisterous opposition of the military order among whom they were established; essentially contributed first to the improvement

SECT. II. improvement of their canon-law ; then to prompt
 { **A. D.** them to enquiries after that more perfect system of
 1330-1425 laws which had prevailed among the ancient Romans ; and lastly to correct and improve the legislature of all the states of Europe by the new illumination which the clergy's juridical studies now enabled them to introduce into it. But, it was not till the accidental discovery of a copy of Justinian's collections at the town of *Amalphi* in Italy ; a town, which at a very early period, had been flourishing, but was now greatly outrivalled by Florence, Genoa, and Venice ; that the jurisprudence of ancient Rome became an object of enthusiastic study, and was eagerly seized upon by the clergy, as a notable new engine to extend and to confirm their power. Its authority was soon received in these ages of blind deference to mere authority, as if it had possessed almost all the functions that the majesty of any legislative body could give. In Italy, in France, in Germany, it began to be wrought as a piece of embroidery, or rather of quilting, upon the ground of the feudal policy. Even in England, where it was never to obtain a complete reception, it was however already studied. The most remarkable proof of its having now begun to draw the notice of the Scots, appears not so much in the progress of their statute-law during this fourteenth century, as in a renunciation which their representatives solemnly made, of any advantages

tages to be derived either from the *Civil* or the *Canon* Law, towards the infraction on their part of any of the articles of the treaty with England for the liberation of David Bruce. It was soon to be adopted among the Scots, however, as a grand treasury of opinions and precedents to be resorted to for the solution of every difficulty in juridical questions, with the same confidence and respect, as it had been a collection of the ancient laws of the country, and of the decisions of its judges*.

LAWYERS had not as yet in Scotland, a distinct existence, as an incorporated body of the members of an honourable and important profession. There were the King's *messengers at arms*, attendant upon his sheriffs and justiciaries, and more properly military than civil servants of the Crown, in the original intention of their office. There were perhaps also some *clerks* and *proctors*, men not regularly incorporated, and distinguished from the rest of the community, but permitted to take up the employment at pleasure, or exercising it under the appointment of the sovereign, or of his barons. Every man was permitted to appear for himself, and to plead his own cause in a court of justice; or every man might produce his master, his friend, or any respectable substitute, to plead, as well as to fight for him; a practice which was afterwards to give rise to the order of *ADVOCATES*.

In

* *Fœdera*, Tom. VI. &c.

SECT. II. In the ecclesiastical courts there were NOTARIES;
 A. D. and it is not improbable that these might be em-
 1330-1425 ployed in the framing of many deeds, and the
 transaction of many pieces of juridical business,
 which did not necessarily fall within the province
 of the ecclesiastical courts. The bailiffs of the
 barons, the sheriffs and the justiciaries of the King's
 courts, were men of eminence employed in juridi-
 cal affairs. But, these men were not necessarily to
 be lawyers before being appointed judges; and
 they had commonly much more in them, of the
 military man, than of the lawyer. Remongenev
 who first counselled young David, duke of Roth-
 say, to seize, imprison, and starve to death, his
 uncle Albany; and then unhappily with better suc-
 cess, gave the same advice to the uncle against his
 nephew; is related by the historians of the time,
 to have been *an able lawyer*. It is remarkable, too,
 that altho' the laws of the Scots were, at this time,
 assuredly not very numerous, nor their written
 deeds exceedingly voluminous and complex; yet,
 they had already begun to exclaim against the law's
 formalities and delays, and to regret the simplicity
 of elder times. When the earl of Fife, afterwards
 duke of Albany, in an inroad into Cumberland, found
 among other articles of plunder, an ancient sealed
 charter in these words; *Kyng Adelftane giffus here
 to Paulan Oddam and Roddam, als gude and als fair
 as ever there myn war; and thereto witnes Mald*

my wyfe ; he so admired its brevity and simplicity, ^{SECT. II.}
as often afterwards to quote it, when he presided ^{A. D.}
in the courts of justice, for an instance of the su- ¹³³⁰⁻¹⁴²⁵
perior wisdom and integrity of the people of an-
cient ages*.

THE RELIGION of the inhabitants of Scotland ^{RELIGION.}
was not at all more enlightened during the four-
teenth century, than it had been during the thir-
teenth. The same ignorance, the same supersti-
tion, the same violations of morality encouraged
by the clergy that they might be atoned for by do-
nations to the church, the same fancied visions,
the same fabled miracles still prevailed. St Columba,
now no longer obnoxious to the Popish clergy on ac-
count of the ancient aversion of his disciples to the
supremacy of Rome, was revered in this age
for many fancied miracles. The Scots wanted
a navy to protect their coasts and harbours against
the fleets of the English. But the saint of Inch-
Columb was supposed to watch as a celestial admiral
over the whole Frith of Forth. Scarcely ever ^{Miracles.}
did the English enter it, without suffering, as the
Scottish clergy pretended, some signal act of ven-
geance from the saint whose boundaries they dared
to violate. Upon an expedition of this sort, in the
year one thousand three hundred and thirty-five,
one of the ships of the English fleet had even dared
to anchor before the sacred isle. The crew issuing

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from

* *Regiam Majestatem*, passim :—Ford. XIII. XIV. XV.

SECT. II. from their vessel spoiled the monastery, even stripped the church of its consecrated furniture, and carried away, among other things, a much venerated image of St Columba himself. They soon again set sail with their spoils, and in company with the other vessels of the fleet. But hardly had they begun to proceed, when a terrible storm arose, and wreaking its fury solely upon the ship which contained the sacrilegious pillagers of Inch-Columb, so tossed and harassed this vessel, that it was with extreme difficulty, and amid the most alarming dangers, brought to anchor at Inch-Keith. Here the conscious criminals hastened to quit themselves of their sacrilegious spoils; and restoring all that they had pillaged with a considerable sin-offering to appease the wrath of the saint, prayed him to pardon their offence, and to grant them fair winds, and a safe voyage during the remainder of their expedition. Their prayers were heard. The storm no longer raged upon their ship: And it was even the first of all the fleet to pass Saint Abb's Head, in the progress of their navigation homeward.—Columba, a saint whose life had been chiefly spent, and his miracles wrought in an insular situation, amid storms, and billowing seas, and all the miseries, perils, and adventures of a people accustomed to a paddling, seafaring life, and often perishing amidst its dangers; was peculiarly fitted to become the divine guardian of a bay, and the
saint

SECT. II.

A. D.

1330-1425

Of St Columba;

faint of seamen. It was at no long distance of ^{SECT. II.} time after the former luckless adventure, that another English fleet having likewise entered the Frith ^{A. D.} 1335-1425 of Forth, ravaged all its shores, but without violating the holy isle. One only of the ships of this fleet, had been conducted upwards almost to Stirling, when its company going one shore to plunder the country, fell accidentally upon the commensal church of Dollar, subject to the Abbot of Inch-Columb, and of which by that Abbot's care the choir had been recently repaired and adorned with much curiously elegant work in carved wood. This structure and its carved ornaments seemed a valuable prize. The plunderers conveyed the latter on board their vessel, and sailed away on their return down the Frith. A fair west-wind favoured their course, and they passed on rejoicing, till they came nearly opposite to Inch-Columb, the seat of the abbot, whose commensal church they had pilaged. Here the vengeance of Columba was to overtake those sacrilegious wretches. A south-wind arose in a sudden squall, and overturning, sank the ship, so that not a soul on board escaped alive. The crews of the other ships, in terror, vowed never more to violate aught that was under the protection of this powerful and vindictive saint. Sometimes Saint Cuthbert, the holy protector of ^{Of St.} the bishoprick of Durham, was believed to pursue ^{Cuthbert;} with equal vengeance, the inroads and the sacrilegious

SECT. II.

A. D.

1330-1425

Of the Vir-
gin Mary ;

legious devastations of the Scots in the North of England. The Virgin Mary, the mother of Jesus, who was chiefly worshipped at Haddington, and some other places on the south-east coast of Scotland, was sometimes believed to interpose equally with supernatural power for the protection of her shrines and worshippers, or for the punishment of those by whom they were violated. When prayers could not move the Virgin to interpose for the safety of her votaries, threats were sometimes more effectual. Upon the occasion of the great inundation on the coast of East Lothian and Berwickshire in the year one thousand three hundred and fifty-eight, when the waters had almost risen so high as to overwhelm the buildings of the convent at Haddington; a nun, amid that flutter to which the alarming danger excited her simple and unenlightened mind, took up an wooden image of the Virgin which stood in the church; and running with it to the water's brink which had already reached the office-houses of the convent; threatened to plunge the image into the flood, unless the Holy Virgin would instantly stay the efflux of the waters, and cause the deluge to abate. Scarcely had the daring nun thus spoken, when the waters suddenly ceased to swell, and the flood visibly subsided. The clergy rejoiced in the miracle, although they could not altogether approve the compulsion which had been put upon the Holy Virgin's inclinations.

The

The virtues of the mafs were often the theme of ^{SECT. II.} loud applaufe; and many miracles were fancied to ^{A. D.} be wrought by power communicated from heaven ¹³³⁰⁻¹⁴²⁵ to do it honour. A remarkable event of this fort, ^{Of the} is faid to have taken place in the Frith of Forth, ^{Mafk.} between the Holy Ifle of Inch-Columb and the oppofite fhor of Fife. The abbot with his monks were returning from Fife to which they had fled during fummer, for fear of the piratical defcents of the Englifh upon their Holy Ifle. It was in the end of October, when the Englifh fhips could no longer appear in thefe feas. On board a boat laden with ale and other articles of winter-provifions, went two failors, three ecclefiaftics, and a mafon. The failors being drunk, in fpite of the refiftance of the reft, would hoift the fail of the boat. A fquall of wind foon arofe and overturn- ed the boat; upon which both the failors and one of the ecclefiaftics perifhed; while the other two ecclefiaftics, with the mafon, fortunately efaped fafe to the fhor, by means of the ropes of the boat, and of fome bundles of ftraw. Recollecting afterwards the circumftances of their danger and efcape, the priefts and the mafon found that they had, on the morning of that day, affifted all three at the celebration of the mafs, while their compa- nions who were drowned, had not enjoyed the be- nefit of the fame folemn act of devotional worfhip. The praife of their efcape was therefore given to the

SECT. II. the mass; and this was celebrated as another wonderful miracle accomplished by its virtues.—The famous legend of the cave of Saint Patrick in Ireland, was in the highest reputation at least in England, and probably also in Scotland during this century. It was usual for the prior and monks of the convent to grant their letters to the persons who had passed through the purgatorial trials of the cave, testifying the fact to all Christians. Those letters might again be presented to the Justiciary of Ireland, and his confirming testimony required upon them. In the last instance, even the letters of the Justiciary, and other great officers of the Irish government, were presented to the English King, and received his sanction. All this was done in the case of Malatesta Ungar, and Nicholas Beccaria, both knights and pilgrims from foreign countries, who after passing through the trials of that famous Irish purgatory, obtained from Edward the Third of England his letters-patent, testifying the truth of their descent within the cave, and dated from Westminster, on the twenty-fourth day of October, in the year one thousand three hundred and fifty-eight. A legend so wonderful, a cave so famous, even in the regions of the Continent, could not but be known to Scottish superstition.—These tales of miracles, the penances which were imposed, the indulgences which were granted, the high spiritual authority which was usurped by the clergy, better express the popular religious belief, than any thing in

A. D.
1330-1425
Cave of
St Patrick.

in the formal systems of religious doctrines which were respected and taught in the theological schools of this age*.

SECT. II.
A. D.
1330-1425

YET the Christian religion is not to be blamed for those absurdities of superstition which were inwrought upon it. It was not Christianity that debased the minds and darkened the intellects of mankind: But, Christianity, like the science and the fine arts of Greece and Rome, like the monuments of Roman legislation, was itself overwhelmed by the crushing force of a military despotism, by the invasion of whatever was savage and barbarous, from the farthest regions of the earth. Had not the institutions of Christianity withstood the fatal efficacy of these powers of destruction, more firmly than any other part of the practices and institutions of the civilized ancients; had the barbarians who subdued the Roman Empire, introduced their own savage superstitions wherever they established themselves; the darkness, which with the origin of their power settled over Europe, would have been ten times more gloomy, and more incapable of being dissipated. The Romish hierarchy became a grand machine for pacification and civilization, which with its arms embraced the whole Christian world. The powers of this machine were thwarted, disordered,

* Fordun XIII. XIV. XV. passim:—Fœdera, Tom. VII.
—The authenticity of the Letters to Ungar and Beccaria has been questioned.

SECT. II. ordered, enfeebled, by the primary nature and by
 the disorders of the feudal governments, as well
 A. D. 1330-1425 as by the barbarous manners of the people: but
 never could its energy be entirely destroyed. It
 was when the influence of this hierarchy chiefly,
 had given something of stability to civil order, that
 a new dawn of civilization began to break forth,
 that the day-star of science was seen once more to
 arise. Let not the Romish clergy of these times be
 ridiculed or reproached for the imperfection of the
 popular Christianity of the age. Let us regret
 only, that so sublime a system of religion could not
 resist the influence of those general causes, upon
 which the barbarism of these times depended! Let
 us rejoice that it existed, to cherish the smouldering
 sacred fire, and again to inflame it to a blaze
 more splendid than had ever shone before!

Authority
 of Rome
 over the
 Scottish
 Church.

THE Roman Pontiff still continued to exercise
 a considerably vigorous authority over the Scottish
 church, and to draw, under various names, a large
 revenue out of Scotland. Dispensations and in-
 dulgences afforded him much; to many benefices
 he arrogated an occasional power of presentation.
 First fruits and other impositions were modes of
 taxation, by which the Court of Rome drained
 away a large share of the revenues of the churches
 of all the different kingdoms of Europe. But, the
 patronage of the bishoprics, and of very many of
 the

the principal benefices and offices of the church, ^{SECT. II.} still entirely, or at least imperfectly in the hands of ^{A. D.} the King and nobles, by whose ancestors they had ¹³³⁰⁻¹⁴²⁹ been founded. One grand object which the English had in view in their attempts to conquer Scotland, was to subject the Scottish church to the archiepiscopal see of York, or to the bishoprick of Durham. Glasgow was even, for a while, in the time of the English successes annexed to Durham; but the freedom of the Scottish church was vindicated, at the same time, with the independence of the Scottish Crown. To the hopes of the annexation of the bishoprick of Glasgow, was it owing that Beck, bishop of Durham, in the age immediately preceding, so zealously engaged in the Scottish wars. It was from the fear of this subjection that the Scottish clergy, in general, but especially the archbishops of St Andrew's and Glasgow, were invariably among the foremost opponents of English usurpation. Monastic establishments were already exceedingly numerous throughout Scotland; at least in proportion to the extent and opulence of the country; and there were not many added to the former number during the busy, tumultuous, eventful period of the fourteenth century. In the beginning of this century, Robert Bruce had founded in Strathfillan in Braidalbane, a priory for the canons-regular, in honour of Saint Fillan, whose aid he believed to have been signally vouchsafed to

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him

SECT. II. him in the battle of Bannockburn. The white
 friars of Mount Carmel obtained, in the year one
 thousand three hundred and thirty, a religious
 house at Queensferry, which was founded by Dun-
 das of Dundas, and was consecrated to the Virgin

A. D.
 1330-1425
 Mary. The same friars obtained in the middle of
 the century, a similar establishment at Aberdeen.
 It was the illustrious Archibald, surnamed the *Grim*,
 earl of Douglas, and of Galloway, who, in the
 year one thousand three hundred and ninety-eight,
 founded the Provostry of Bothwell in Clydesdale.
 A few years before, his rival Dunbar, earl of
 March, had founded a similar religious establish-
 ment at the town of Dunbar in East Lothian.
 Another Provostry was founded at Kilmours in
 Ayrshire, by Sir William Cunningham. The nuns
 anciently established at Lincluden near Dumfries,
 by Dervorgilla, daughter to Alan the last of the
 old lords of Galloway, had at length become noto-
 riously dissolute to a degree that was beyond mea-
 sure disgraceful to their religious profession; and
 Archibald the Grim therefore in the end of this
 fourteenth century, converted the nunnery into a
 collegiate church, of which his secretary, Alexan-
 der Cairns, was provost, in the year one thousand
 four hundred and thirteen. Hospitals for the en-
 tertainment of strangers, particularly for the nou-
 rishment and cure of the sick, were foundations
 usually subjected to the management of the clergy.
 Many such hospitals had been already founded and
 endowed

endowed in different parts of Scotland; and in the reign of Robert the Second, the same Archibald Douglas augmented the number by the foundation of a new hospital within the monastery of Holywood. The revenue of another which had existed at Lanerk, was, by Robert the Third, alienated to Walter Dalzell. The hospital of Roxburgh was, by Robert the Third, too, alienated to a person of the name of Robert Archibald; and that of Rutherford, was, by the same monarch, bestowed on the abbacy of Jedburgh. The establishments for the purposes of religion, were indeed multiplied and extended during this period; and various old foundations were enriched: but the circumstances of the age neither required nor permitted as great a number of religious foundations to be formed in this century, as had been established in the period immediately preceding; for so much had been already given, that there now remained comparatively little to give; and the miseries of war so impoverished the nobles and the Crown, and so changed the possession of the lands from one possessor to another; that scarcely any one was sufficiently opulent, scarcely any one remained long enough in possession of any particular estate, to be able to purchase the favour of heaven by bestowing new and large endowments upon the church*.

IN

* Fordun. XIII. XIV. XV :—Spottiswood's account of religious houses; printed at the end of Hope's Minor Practics.

SECT. II.

A. D.

1330-1445
Learning
of the
clergy.

IN respect to LEARNING, the frequency in which the Scottish clergy repaired during the latter half of the fourteenth century, to study at the Universities of England, the honours with which they were crowned at the University of Paris, the institution of the University of St. Andrew's; represent the Scottish clergy as becoming continually more attentive to this grand object. They, too, were the authors of almost all public writings: and whatever chronicles of passing events were kept in the monasteries; it was by the clergy they were kept. Not the laity, but the clergy, first began to cultivate for literary composition, the vernacular language of the country; Barbour, who sang Robert Bruce, was a dignitary in the church; Blind Henry was probably a religious person. Even such a dispute as that which, for some time, agitated the nation concerning the rival rights of the Popes Benedict and Martin, had a tendency to incite the clergy to new curiosity and research, and to produce a collision of minds which could not but strike out some sparks of heavenly fire.—In their *morals*, the clergy cannot well be supposed to have been more licentious and depraved than the laity.

Their mo-
rals.

Among the bishops, abbots, and priors, who were the most illustrious in the fourteenth century, many are recorded to have been distinguished by eminent piety, purity of manners, disinterestedness, and ardent patriotism. Yet, too many instances of vici-

ous

ous depravity, unavoidably occurred, from time to time, among the cloistered monks and nuns. SECT. II.
A. D.
1330-1425
Gross, brutal luxury, acts of obscene uncleanness, fraudulent hypocrisy and imposture, with vices even more darkly atrocious, too frequently disgraced the character of whole societies, as well as of individuals among them. Such was a murder committed at Montrose, in the priory of that place, by a friar, upon the father who governed the convent. This friar, whose name was Thomas Platar, being in his conduct exceedingly disorderly, and refractorily unsubmissive to the discipline of the house, drew upon himself frequent but unavailing correction from the subprior. The prior himself, was at last obliged to interpose for the purpose of overcoming Platar's stubbornness, and reducing him to decency and regularity of conduct. Even the prior's endeavours were not more successful than those which had been already used by others. Platar became still more refractory, more obstinate, more fullen, more desperately fixed in his vicious practices. New punishments were therefore threatened against this incorrigible offender; and it was hoped that the exercise of some act of unusual and awful severity, might yet perhaps reclaim him from utter perdition. But, while the prior was preparing, yet hesitating, to inflict some such act of wholesome rigour; and while Platar, with unsubdued fullness of mind, was resolute
not

SECT. II. not to avert punishment by penitent submission,
A. D. and yet not free from a fearful expectation of its
1330-1425 actual approach; the unhappy wretch was driven to perpetrate an horrible crime. At night he awaited the hour when the prior was to retire to his chamber to rest; and with a dagger, which he had for this purpose concealed about his person, stabbed the good old man to the heart with a mortal wound. The prior survived but three days. The parricidal Platar; for the prior was accounted the spiritual father of his friars; was, within two days after the prior's funeral, exposed to public shame, during a sermon solemnly preached upon this occasion by Trail, archbishop of St Andrew's; and since it was by the canon-law illegal to put a clergyman violently to death; was condemned to perpetual imprisonment; there to be fed with the water of bitterness, and the bread of sorrow. He did not long survive; and his body, after his death, was buried in a dunghill*.

Jurisdiction of the clergy.

THE JURISDICTION of the clergy was, in this period, great; for the civil magistrates were obliged to execute all letters addressed to them by the ecclesiastical courts, against any of the King's subjects; and redress by those who found themselves aggrieved by sentences of the ecclesiastical courts, was to be obtained only from the general assembly of

* Fordun. &c.

of the clergy, or perhaps from Rome. The courts ^{SECT. II.} of ecclesiastical judicature, were those of the different bishops, and of their chancellors acting under ^{A. D. 1330-1425} their authority,—of the archbishops,—of the national assembly of the whole clergy,—of the Pope and his Cardinals,—of the general councils of the whole church. The sacred books of Christian doctrine, so far as their precepts tended to combine Christians in social union, naturally prescribed some rules applicable to civil conduct. The communities of the first Christians, regulating their religious observances in a certain known order, and taking cognizance of the moral and civil conduct of their different members; thus created for themselves a species of law, different from the laws of the state; by which their crimes were restrained or punished, and their differences determined. When the colossal structure of the hierarchy was reared by Constantine; the private regulations of the Christians, either received such a sanction from the imperial authority as was sufficient to confer upon them all the force of legislative obligation, or were altered and moulded into a new form in which that sanction was conferred upon them. Bishops, archbishops, patriarchs, general councils now acquired a wide jurisdiction, and a potent authority: The business of the church rose in the east and in the west to divide with wars and political negotiations, the anxious cares of the Roman emperors;

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and

SECT. II. and the *sacred codes* of Christianity, and the *consti-*
tutions of the church began to rival in the distribu-
A. D.
1330-1425 tion of justice, the *senatus-consulta* and *plebiscita* of
 ancient Rome, the decisions of prætors, the opi-
 nions of Roman lawyers, the rescripts of Empe-
 rors, the collections of Theodosius and Justinian.
 In the west especially, the earlier abolition of the
 authority of the civil laws of Rome, although it
 might at first disturb, yet soon came greatly to fa-
 vour and to exalt the authority of that other body
 of laws which the clergy formed, explained, and
 enforced. In comparison with the laws of the
 Barbarian conquerors of Europe, how infinitely
 more rational, just, and perfect, were the rules of the
 discipline of the church ! While the church made
 itself the reconciler of differences, the protector
 of innocence and weakness, the sagacious counsellor
 of rude ignorance and inexperience ; the power
 of its own internal laws, and of those spiritual
 sanctions by which alone it pretended to enforce
 them, became almost uncontrollable. Its command
 of the keys of heaven, of hell, and of purgato-
 ry ; its miracles, its impostures, its indulgences ; its
 wealth, and all its political artifices ; afforded so
 many sanctions to enforce the authority of its laws.
 The legislation of the Jewish theocracy, contained
 in the Old Testament, being highly favourable to
 priestly authority ; was eagerly dragged into the
 same service as the gospel, the epistles of the New
 Testament

Testament, the decrees of councils, and the letters of patriarchs and popes. The bishop of Rome, in the separation of the western from the eastern church, exalted in the pontifical chair, could now promulgate his mandates with an authority which Kings and Emperors should strive to arrogate in vain. Constant practice in the distribution of justice upon such principles, and under such spiritual sanctions, gave stability and usefulness to the whole system, armed it with the instruments of forms, and enlarged it by commentaries and recorded decisions. To their spiritual sanctions, the clergy failed not to make the secular power add the full force of all those temporal sanctions by which its own laws were maintained.—Such was the rise of the CANON-LAW; and such its progress in the state in which it existed in Scotland, as well as throughout the rest of Europe, during the fourteenth century.—The objects which fell more particularly within its province, were, *first*, every thing relative to the character, qualifications, functions, and relative authorities and dignities of ecclesiastical persons; *secondly*, all the concerns of their emoluments and benefices; *thirdly*, the regulation of many things which, although belonging more especially to the laity, and to the secular concerns of human life, were, however, from accidental circumstances, connected with spiritual affairs, and placed under the power of the clergy; such as marriages, testaments,

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ments,

SECT. II.

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SECT. II.

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ments, and other things similar; *fourthly*, all the common concerns of their *villains*, *vassals*, and other dependents, who were subject to them as the superior or immediate lords of baronies and other estates; *fifthly*, all such other affairs as could be, by any ties of connexion with these, brought within the sphere of their jurisdiction, so as to promote the increase of their wealth or power. Appeals lay from the decisions of the inferior to the superior, ecclesiastical courts; the Pope, and general councils deciding finally with authority from which, as it was fancied, there could be no appeal in earth, or in heaven. The power of the CANON-LAW in Scotland was at its loftiest height in the end of the fourteenth, and in the beginning of the fifteenth century; for the discovery of the *Civil Law*, and the new ardour with which it was studied and applied to practice, although they might at first promise to augment the authority of the church, and of the CANON-LAW, proved, in the end, unfriendly to them*.

ENJOY-
MENTS.

IV. THE morals of the Scots, in this age, were far from being considerably favourable to the ENJOYMENT of general happiness. That contempt of law, and of all the restraints of social order, which was almost universally displayed by the great barons during the reigns of David Bruce, and of the

two

* Fordun, passim :—Buchan.—Lefl.—Lancelotti *Perusæ Institutiones Juris Canonici*, &c.

two first of his successors, annihilated to the Scots, SECT. II.
almost all the best advantages which were to be A. D.
derived from their civil union. Those barons who 1330-1425
scorned the royal authority, and slighted even the
laws to which they had themselves agreed; often
ruled their respective *villains* and dependents, with
the most impotent, tyrannical sway. Their great-
ness was evinced, solely by acts of savage cruelty.
Their castles were the den of the lion in the fable,
from which none who entered, was seen to come
away in safety. The horrors of those dark re-
cesses of cruelty and oppression, were in reality no
less dreadful than the fortresses and the dungeons
of the giants and wicked knights and barons of
romance. The unbarred dungeon of a Douglas or a
Stewart might have poured forth a crowd of wretch-
es in all the most horrible gradations of extreme
distress which the fancy of a Dante could conceive,
or the pencil of a Reynolds pourtray. The names
of some eminent victims have alone reached our
ears. But, could the ordinary crowd have been
brought forth, to tell the secrets of their prison-
house? ah! what numbers should we not find to
have perished, even more miserably than Ramsay,
Bullock, and young Rothsay perished. The *assas-*
sinations so frequently perpetrated during this age,
were terribly hostile to the security of social life.
Nor is it to be fondly supposed, that these were
exercised only upon the persons of one or two
great men, or upon some rare occasions. They
were

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A. D.

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were frequent; they were the crimes of all conditions in life: They destroyed the mutual confidence of man in man.

Famine
and pesti-
lence.

THERE were also other miseries, beside those inseparable from war and from barbarism, to afflict human life in Scotland with terrible severity, during this age. Famine, one of the most dreadful scourges which the hand of Providence can employ to chastise mankind, often cut off the inhabitants of Scotland in multitudes together. Pestilence, still more destructive than famine, advancing from the east like a wide-wasting fire, twice ravaged all Europe; and came to cut off in Scotland, those whom famine and the sword of war had spared. At its first approach this terrible disorder, attacking rather the ranks of meaner life, than the nobles and the opulent whose more generous fare, more commodious lodging, and cleaner clothing, served in part to protect them against infection; destroyed almost a third part of the human race in all those countries which it visited. Two days the wretched victim sickened; on the third he died, having all the parts of his body prodigiously inflated and swollen above their natural size. An universal terror and alarm, scarcely less unfortunate to society than the actual contamination of the distemper, pervaded all ranks. Parents deserted their children in their last agonies; children fled from

from performing the last melancholy offices to ^{SECT. II.} their dead or dying parents; the affections of nature were stifled in the breast; the ties of social ^{A. D.} life were dissolved. The virulence of this epidemic distemper was at last exhausted. Within less than twenty years, however, another similar epidemic ravaged the land. Its form and mode of affecting the patient, were the same as in the former; but its energy no longer confined particularly to harass the poor, now preyed upon all ranks alike. In the year one thousand four hundred and twenty, a distemper which received the vulgar name of *Le Quew*, and was supposed to have been occasioned by the extreme uncertainty and irregularity of the seasons, ravaged the kingdom with a terrible havock. The leprosy, which was perhaps nothing more than some particular modification of inveterate scurvy, occasioned by the excessive use of salted provisions, by dirtiness of clothing, by narrowness and filthiness of domestic accommodation; was still prevalent in the country, and was deemed incurable. Add to this, that the science of medicine, the art of surgery, cannot be said to have had, as yet, an existence in Scotland. It was an English monk from whose prescriptions Randolph sought relief in vain. We find occasional notices of benefices bestowed upon the physicians to the kings of England, and sums of money paid to them: But no such notices occur concerning

SECT. II. ing any similar rewards granted to the physicians,
 whose cares watched over the health of the Scot-
 A. D. 1330-1425 tish monarchs.

Amuse-
ments.

YET, the Scots of this age wanted not their festive amusements, to cheer the miseries, to enliven the gloom of that precarious and distressful life to which they were too often exposed. This was the age in which the shows of the tournament, or mimic combat, were frequently exhibited in barbarous magnificence and rude sumptuosity. How much more humane and refined did even our barbarous ancestors, in this instance, prove themselves to be, than were the ancient Romans whose entertainments, imitative of war, were stained with the blood of the unfortunate gladiators, by whom they were exhibited! It was in the primary intention of the Roman exhibitions, that the blood of the gladiators should be actually spilt and their lives prodigally wasted. If blood were shed, if lives were lost, in the tournaments of the dark ages of modern Europe; it was by accident; for the purpose of the sports was solely to exhibit a bloodless trial of strength, agility, and dexterity. In judicial combat alone was the fight to be urged unto death. In the year one thousand three hundred and ninety-eight, Morley, an English knight, a noted combatant in tournaments, came into Scotland for the purpose of

of provoking any doughty Scottish knights to ^{SECT. II.} single combat; and was, for some time, honour-^{A. D.} ably entertained at the court of Robert the Third. ¹³³⁰⁻¹⁴²⁵

At this court he was, however, accused of having stolen, or having attempted to steal, a precious cup of great value from the King's table. This accusation produced a challenge; but combat was forbidden. Morley was, however, accompanied or followed to Berwick by several Scottish gentlemen, who there proposed to try their prowess against him. He first contended with Archibald Edmonston, and Hugh Wallace, successively, under this condition of conflict, that the combatants should alternately strike each a certain number of blows, and then cease from contending; and that he of the two who should, before the allotted number of blows were struck, confess himself to be worsted, or should at the end of the combat be overthrown, and disabled, was then to be accounted vanquished, and his adversary to be adjudged the victor. Over both Edmonston and Wallace, Morley, on the same day, triumphed. On the day following, however, he was opposed by Sir Thomas Trail, who so mauled Morley, that the judge of the combat, an Englishman, interrupted the contest, to save Morley's life; after which this champion offered no more boasting challenges to the warriors of Scotland. Morley was a Quixotic knight-errant, so enamoured of the fame of prevailing in the tournament, that he

SECT. II. he travelled at a great expence through different
A. D. countries, still challenging knights to single combat, and still triumphing, or meeting defeat and disgrace. Having at last consumed all his patrimony, without raising himself by his knight-errantry, to any thing of that splendid fortune of which his imagination had fondly dreamed, he at last died, amid the misery of want, and of the cruel vexation of disappointment.—It was on the year immediately before Morley's coming into Scotland, that, at the desire of Queen Annabella Drummond, there was a grand contest of twelve knights—at the head of whom was her son, the young duke of Rothsay,—celebrated at Edinburgh on the north side of that town, and on the very scene, which was afterwards so much overflowed with water as to subside into a lake;—the famous NORTH-LOCH; which was destined to be, after the revolution of four centuries, drained, and again desiccated; and if not to become again a *Campus Martius* for the spectacles of the tournament, was, however, to be defiled by the carnage and filth of a slaughter-house, to be enriched by horticulture, to be graced by a bridge worthy of ancient art, to be divided by a mound of earth, which, however useful, should seem to part it awkwardly into two pits.—Even in England the brave warriors of Scotland, repairing thither in times of truce, not seldom distinguished themselves by carrying away

the prize, at the sports of the tournament. It was ^{SECT. II.} in the two years immediately preceding that David ^{A. D.} Lindsay, the first earl of Crawford, in the presence ¹³³⁰⁻¹⁴²⁸ of Richard the Second of England, obtained great glory in a tournament at London, and was distinguished with high honours at Richard's court, on account of his martial gallantry. Amid the festivities which followed, a boasting Englishman said to William Dalzell, one of Crawford's companions, that the Scots of that day would not have been so brave, had not Englishmen, in the days of Edward the Third, lain with their mothers. Dalzell, with equal temperate prudence, and shrewdness of wit, replied, *That, in this case, scullions and footmen had certainly lain with the Englishmen's wives at home.* The same Dalzell, being no less brave than wise, upon another occasion, was induced to engage in a bold recounter with an English knight, named Piers Courtenay. Courtenay was gayly clothed in a new gown or doublet, on which was embroidered the figure of a falcon, with a line of writing proceeding from its bill, in the following words: *I beer a falcon, fairest of flicht; quha so pinches at hir, his deth is dicht in graith.* This man was one of the most famous combatants with the spear, then in England, was uterine brother to the archbishop of Canterbury, and was commonly known by the appellation of the King's champion. Yet no sooner

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had

SECT II. had Dalzell remarked his emblem, and read the
 A. D. inscription, than he without delay, had a new
 1330-1425 doublet made for himself, with a magpie painted
 upon it, and these words represented as issuing
 from the magpie's bill; *I beer a py pykkand at
 ane pes; quha so pykkis at her, I sal pyk at his nese,
 in faith.* This new device, with the inscription of
 Dalzell, quickly struck all eyes as being assumed
 in derision of Courtenay. A challenge was soon
 given and accepted. They agreed to combat on
 horseback, agreeably to the regulations of the
 tournament. When they armed themselves, the
 Scot, of purpose, left his helmet unfastened. The
 consequence of this was, that his head was quickly
 bared, exposing his face indeed, but, at the same
 time, enabling him to see more distinctly in what
 manner he should best aim his strokes, for the
 purpose of annoying his opponent. At the third
 mutual assault, therefore, he struck the English-
 man on the face, and broke away several of his
 teeth. Courtenay enraged at the artifice, com-
 plained passionately to the King. Dalzell offered
 to fight with him again for two hundred pounds
 on the condition, that both should in this new
 combat be, in all respects, equipped alike. Cour-
 tenay could not refuse the conditions. The match
 was made. But then, Dalzell, who was blind of
 an eye which he had lost in the battle of Otter-
 burn, insisted that Courtenay should have one of
 his

his eyes likewise put out, in order to be in a con-^{SECT. II.}
 dition to enter on equal terms into the proposed ^{A. D.}
 combat. This could not be; and after various ¹³³⁰⁻¹⁴³⁵
 altercations, and the threatening of a number of
 contests among the knights who espoused the one
 or the other side in the quarrel; Courtenay, since
 he would not put out his eye, was compelled to
 pay his two hundred pounds. These are but small
 matters, and may seem to be scarcely worthy of
 the dignity of history; yet they exhibit perhaps,
 more impressively, and with more of picturesque
 effect, than facts of greater ostensible importance,
 the very form and pressure, the cast, the colours,
 and all the mingled lights and shades of the man-
 ners of this interesting age*.

Sed fugit interea, fugit irrevocabile tempus,
 Singula dum capti circumvectamur amore.

* Fordun, Lib. XV.

BOOK

BOOK FIFTH.

FROM

THE RETURN OF JAMES THE FIRST,

TO

**THE ACCESSION OF JAMES THE SIXTH TO THE
ENGLISH THRONE.**

HISTORY OF SCOTLAND.

B O O K V.

SECTION I.—CHAP. I.

Reign of JAMES the FIRST.

A MINORITY on the throne ; an administration of which the members, although not wanting in either political or military talents, were however divided against one another by opposition of personal interests, and therefore tore asunder, instead of guiding and impelling with one combination of efforts, the machine of government which was confided into their hands ; conquests too extensive for the military force which there was to retain them in subjection, and defend them against foreign foes ; enemies on all sides whose hostilities were incessant, and their hatreds inextinguishable,—because their very existence seemed to depend on the humiliation of the power of the English ; at home, an haughty, powerful, and factious nobility, commons who began, every day, to feel more sensibly their own strength, and more boldly to assert their rights,

A. D. 1423-37.
Situation of the English Government.

SECT. I.
CHAP. I.

A. D.
1424-25.

rights, a family, the rivals of the sovereign, who cherished secret and not unjust pretensions to the Crown : These were the particulars composing the grand features of the public and political state of England, at the time when the subjects of the young King of the Scots sent ambassadors to negotiate his liberation out of that captivity, in which he had now been for eighteen years detained*.

Prudent
conduct of
James, du-
ring his
captivity.

JAMES himself had, during his captivity, so acted, as at once to impress the world with the most favourable expectations from his virtues and his talents, and to persuade the English, that he was cordially attached to their arts and manners, and devoted to their political interests. Such was the courtesy of the age, as to afford still the most liberal entertainment to prisoners, if their knightly honour were unstained by cruelty, cowardice, or falsehood, if any liberal ransom might be expected for them, or if any important, political purpose might be served by their detention, and their kindly treatment. Of this practice in the manners of the age, James had received the full advantage. Not the prisoner of war, but detained in violation of the law of nations ; too young to have ever yet exercised any actual hostilities against the English ; the heir to a crown ; there was nothing in these circumstances that could induce the English to treat him with negligence or harshness. They instructed

* Hollinshed, &c.

instructed him in the learning of the times; with-
held him not from accomplishing himself in the ex-
ercises of war; did not restrain him from acquiring
that experience in the general concerns of human
life, and that acquaintance with the business of go-
vernment, and with the spirit of the politics of the
age,—which was requisite to fit him for the repu-
table discharge of those high functions of sove-
reignty to which by his birth he was destined.
James seemed to shew himself not ungrateful for
so many courtesies and favours. At the request of
Henry the Fifth he had endeavoured, although in
vain, to detach the Scottish auxiliaries from the
service of France. His uncle and his cousins, the
usurpers of his Crown, being devoted to the French
interests, seemed thus to create a necessity for
James's devoting himself to those of England.
Contriving to reconcile his love with his political in-
terests, he wooed, and won for his wife, Jane of So-
merfet, niece to Cardinal Beaufort; who partly by his
talents for intrigue, and partly by the natural influ-
ence of his rank, his wealth, his offices, and his con-
fanguinity to the prince, was, at this time, the most
powerful member of the English administration*.

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CHAP. I.

A. D.
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THE ambassadors who went from Scotland to solicit his release, were, in consequence of this state of the English affairs, and of this prudent conduct

Willing-
ness of the
English to
set James
at liberty.

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of

* Fordun, XVI. 1 :—Hollinshed, Vol. III :—H. Boeth.

SECT. I.
CHAP. I.A. D.
1424-25.

of James in regard to the English, received with no ungracious regard, by the ministers of young Henry's power. The ransom for the Scottish King was quickly fixed at an hundred thousand merks sterling. Half of this sum was, by the influence of Beaufort, remitted in name of the dowry to James's queen, payable on account of her consanguinity to the English monarch,—for she was the grand-daughter of his grand-uncle,—out of the royal treasury. For the payment of the other half, as soon as it could be levied upon the people of Scotland; it was stipulated that a certain number of the sons of the Scottish nobles should be sent as hostages, into England; and that upon their arrival, James should be honourably dismissed. Henry's administration might now flatter themselves, that, by this policy, they had deprived the French of their best resources for levies of gallant auxiliary troops. Beaufort might imagine that, by means of his niece, he should henceforth be, in a great measure, master of the politics of Scotland, and might find there a sure resource to support his power in England. The Scots might indulge the fondest hopes of new order, felicity, and peace, to be charmed up from the bosom of political confusion, discord, and uproar, by the very aspect of their young monarch. Even Albany and his sons might be inclined to hope, that by this last involuntary service to James, they should have compensated in his estimation for all

all the demerits of their former neglect of him;^{SECT. I.}
and of that long persecution by which *their* family^{CHAP. I.}
had apparently laboured to extinguish *his**.^{A. D.}

1425-1530

THE hostages were delivered into the hands of James's
the English. James was conducted homeward as return.
far as to the confines of his own kingdom, by
Cardinal Beaufort, uncle to his queen, and the
earl of Somerset, her brother, with a splendid train
of attendants. He was here eagerly received
by the nobles of his kingdom, who thronged to
meet him, and was conducted in great joy and
pomp to Edinburgh. After remaining for a short
time in Edinburgh, he proceeded to Scone, whi-
ther his nobles, prelates, and burgesſes, had been,
in the mean time, ſummoned to aſſemble in Par-
liament. At Scone he was ſolemnly inaugurated
in the ſovereignty by the ceremonies of corona-
tion. His couſin, the duke of Albany, had the
honour of ſeating him upon the throne: The reli-
gious rites were performed by Trail, archbiſhop of
St Andrew's: The biſhops, nobles, and other
eminent men of the aſſembly, ſtood around, while
theſe ſacred offices were celebrated. James was
now in the twenty-ſeventh year of his age, when
he ſaw himſelf thus ſeated in peace, upon the
throne of his father†.

THE

* Eoſdem.

† Fordun :—Buchanan :—Drummond :—Skene's Acts, &c.

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CHAP. IV.

A. D.

1424-1430

A subsidy
granted to
James by
his Parlia-
ment.

THE next object of the Parliament's care, after the coronation of their King, was, to make provision for the support of his regal dignity, and for the release of the hostages in England, by the payment of that moiety of his ransom which still remained due. For these purposes, it was readily agreed by a Parliament exceedingly disposed in the first ardour of untried loyalty, to gratify the wishes of their monarch; that a taxation should be levied over the whole kingdom, for the space of two years successively, at the rate of twelve pence out of every pound of rents from lands whether pertaining to spiritual or to temporal proprietors, and of four pennies in the pound of the total value of all moveable goods. Such a taxation, although new, and therefore likely to be felt as grievously burthensome by all ranks of men, but especially by the common who had not like many of the barons, their children to redeem out of captivity; was, however, the only resource which now remained, to answer the ends for which it was designed. The rapacity of Albany's family, and of other nobles who had with them shared the spoils of the Crown, had alienated almost all the royal domains: The customs levied upon the exportation or importation of articles of merchandize, were, comparatively, but small. The incidents of ward and relief, and other feudal servitudes due from the immediate vassals of the Crown,

GROVES, were far from being adequate to supply the deficiency: And James saw himself almost as destitute of the gifts of fortune, even now when he was a monarch in the midst of his subjects, as while he had languished in distant captivity. But lest this new experiment of taxation should prove inadequate to the end proposed; an inquest was also decreed to be made concerning those lands which, although now alienated, had belonged to the Crown, during any of the three reigns immediately foregoing. These measures, obviously dictated by James's own discerning judgment and firm decision, might teach his barons to conceive some anxious expectations of the energetic government of the opening reign. For the first year, the tax diligently collected under the direction of William, bishop of Dunblane, and Walter, abbot of Inch-Columb, afforded the sum of fourteen thousand marks. But, on the second year it yielded a sum so extremely trifling, and that paid with such universal murmurs, complaints, and threats; that James was forced to abandon, for a time, the plan of taxation, to which he had not again recourse till the tenth year of his *actual* reign*.

WHILE the levying of the tax went on slowly, without affording a revenue adequate to the expectations and necessities of the monarch, yet not with-

out

* Fordun.—Skene's Acts.

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A. D.
1425-1320

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CHAP. I.

A. D.
1425-1330

out irritating and alienating the minds of many of his subjects : The inquest which had been instituted concerning the crown-lands, began to evince that the Crown could not have been reduced to that extreme indigence in which James had found it ; had its possessions and revenues not been wastefully dilapidated during the three preceding reigns, but particularly during the administration of the late duke of Albany. James now clearly saw what he had been before inclined to believe ; that he must provide for the support of his regal dignity by resuming from the nobility, not by taxing the commons. Already were the nobles, possessors of lands acquired by recent grants from the Crown, generally alarmed. Having so readily agreed to the idea of taxation, a measure which James's knowledge of the English policy, had suggested to him ; their first hopes were, that this resource alone might so amply supply all the wants of their sovereign, as to leave him under no necessity to disturb them in the possession of lands to which many of them might suppose that they had a now full prescriptive right. But, seeing how much farther the scope of James's purposes tended, and perceiving that the resource of taxation was wholly inadequate to his wants ; they began now to conspire secretly together, and even to menace more openly resistance and disappointment to his schemes*.

BUT,

* Fordun :—Boeth :—J. Major, &c.

BUT, James was powerful in his own personal talents. The admiration of those abilities for government which he had, even thus early displayed, struck the hearts of his enemies with dismay; he had not yet lost that popularity with which the whole nation lately met his return; nor was the memory of the weak yet impotently tyrannical sway of Albany and his father, already forgotten. With the promptitude of resolution, not of a man who decides hastily, because he knows no reason for taking one part rather than another; but of a man whose mind is capable of ready decision, because it is firm, comprehensive, and continually active; James instantly called his Parliament again together, and proposed for their immediate sanction and execution, those measures, which the ill-success of the taxation, the result of the inquest, and the rising tempest of conspiracy, appeared to demand. Conspiracy had begun to strengthen and declare itself by leagues among the discontented nobles; and such leagues were declared unlawful and forbidden. Treasonable attempts to sow dissension between the King and his people, were forbidden under the penalties of death and forfeiture. Even against persons who although themselves not openly engaging in rebellion, should, however secretly, lend support and favour to rebels, the punishment of confiscation was denounced. To give efficiency to these measures, before his enemies

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Decisive
and vigo-
rous acti-
vity of
James.

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A. D.
1424-30.

enemies should recover from that perplexity of irresolution, rage, and fear, into which his bold activity had necessarily thrown them; James, at the very same time, arrested and cast into confinement, in different castles, his cousin the duke of Albany, his two eldest sons, the earls of Lennox, Douglas, Angus, and Dunbar, with more than twenty other barons*.

Albany
and his
sons in
confinement.

By this blow so boldly struck, his enemies were wholly disarmed, and left without any head to form, or to direct conspiracy. Of the inferior barons who had been seized, many soon appeared to be entirely free from all guilty purposes against their sovereign and his government; and these were quickly set at liberty. Others, although detained in imprisonment, were not brought to any immediate trial. But, against the chiefs who had so long usurped the royal authority, and plotted to extinguish the family of the King; measures more fatally severe, were requisite. While James perhaps hesitated to consign the necks of his own near kindred to the axe of the executioner; James Stewart, the youngest son of the duke of Albany, who, in contempt or kindness had been left at liberty, when his father and brothers were put under arrest, or had possibly made his escape from the vigilance of the King's officers; seizing the fortress of Inch-Merin, on the isle of the same name,

† Fordun :—Drummond.

name, within Lochleven; strengthened himself in it against the King's power; in some furious excursions cruelly spoiled the circumjacent country, burnt the town of Dunbarton, there slew the King's uncle, Red John Stewart of Dundonald, whom he surprised in the town with but few attendants; and after committing as many furiously vengeful acts as he dared to undertake, made his escape into Ireland; carrying with him the wife and sons of his brother Walter. These audacious outrages of young Stewart, kindled up all the monarch's rage. His Parliament now unanimously devoted to obey his pleasure, passed some acts prohibiting emigration to Ireland, and restricting ingress from it, for the purpose of checking any intercourse which the exiled rebel might strive to maintain with the western parts of Scotland. And to frustrate any farther attempts in favour of the state-prisoners; a speedy meeting of the Parliament was appointed again to take place at Stirling, for their trial and final condemnation or acquittal*.

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AT Stirling, they were produced before an assize of their peers; an assize of a number of the most eminent barons of the kingdom, among whom

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- * Fordun, XVI:—Boeth. XV:—Buchanan;—Less. VII.
- Skene's Acts:—Hume's History of the Douglasses, P. 135
- Drummond, James I. &c.

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1425-37.

were even several of those men whose alliance to the principal offenders, or suspected intrigues with them, or resentment of injuries apprehended or suffered by themselves, had procured their imprisonment at the same time when the duke of Albany and his sons were first put under arrest. Albany and his sons, with the earl of Lennox his father-in-law, were the only persons brought to trial. Their crimes of conspiracy against the King's dignity and safety, of a rapacious alienation of the revenues of the Crown, of a disorderly abuse of that delegated authority which had remained in their hands while the King was a captive; were glaringly manifest. Other causes for their condemnation, existing in the long persecution of the monarch's family by theirs; in the impossibility of James's establishing himself with full authority in his kingdom, while they survived in their present opulence and power; in the necessity of forfeitures to supply a fund for the support of the dignity of the Crown; weighed perhaps even more with James and his judges, to determine them to the condemnation of the accused princes, than the guilt of any crimes that were openly alledged and proved against them at their trial. They were condemned to capital punishment; and were without delay publicly beheaded on the Castlehill of Stirling; while the dukedom of Albany, with the earldoms of Fife, Menteith, and Lennox, were, by their

their condemnation and execution, forfeited to the Crown. On the same day were executed, by a mode of punishment more atrociously cruel, five of the followers of James Stewart, now a fugitive in Ireland; who had been seized before they could make their escape after their master. These unfortunate men were torn in pieces between horses; and their dissevered limbs were then hung in chains;—a species of punishment apparently new in Scotland, and so adverse to the spirit of the criminal law of the feudal system; that it seems to deserve to be ascribed rather to those rules of policy and justice, which were now eagerly borrowed from the fashionable volumes of the *civil law*, for the correction and enlargement of the *feudal*. Not satisfied, while the fort of Inch-Merlin in Lochlomond was as yet in the hands of a rebel-garrison, the servants of the fugitive James Stewart; the King immediately sent against it a considerable force, under the command of several barons of the western counties. After withstanding a few days of siege, that fortalice was surrendered. Thus awfully was treason punished; and thus successfully was rebellion quashed*.

WHILE James executed punishment upon the guilty, and humbled the arrogant among his subjects; he was, however careful not to urge his

* Eoſdem quos ſupra.

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A. D.
1425-37.

General
train of
James's
government.

his severity farther than political necessity seemed to require. Almost all those other barons who had been put under arrest with Albany, his sons, and Lennox, were soon set at liberty. The levying of that taxation which had excited the murmurs of the people, not so much that it was grievous, as because it was a burthen they were unaccustomed to bear; was discontinued as soon as its unpopularity had been clearly evinced, or rather as soon as forfeiture had provided other sources of revenue, to support the dignity of the Crown. Amid that vigilance and prompt activity with which he watched and met the exigencies of his internal government; James found occasionally leisure to cultivate those elegant arts of which the study had soled and amused his long captivity. Frequent meetings of his Parliaments still confirmed the reign of law, and enlarged the code of its regulations with new acts, corresponding to the new demands of altering manners, and of more correct and liberal ideas of distributive justice. To augment his domestic comforts, a daughter was, within a short time, born to him; Margaret, destined to be, one day, the miserable spouse of Lewis the Eleventh, the most odious and tyrannical, but the most politic and fortunate of almost all the kings of France. Ambassadors from France courting the renewal of the ancient alliance between the French and Scottish kings, were graciously received, entertained

tertained with royal magnificence, and gratified in
 the objects of their embassy. James gladly renew-
 ed the ancient treaty, promised his infant-daughter
 in marriage to the dauphin, and forbade not the
 Scottish youth to obey the call of glory, and re-
 pair to contend under the banners of France against
 their English foes. But, he would not so far
 espouse the interests and the quarrel of his French
 allies, as for their sake to plunge immediately into
 a new war with England. Yet, to arm the com-
 monalty more effectually than they had hitherto
 been armed, against the yeomanry of England, he
 instituted many new regulations for the encourage-
 ment of archery; and enforced them with all the
 weight of parliamentary sanctions, and with all the
 vigilance and energetic activity of his own execu-
 tive power. So wise, so happily tempered between
 moderation and rigour, was the whole tenor of
 his government; that although some secret resent-
 ment might still lurk in the breasts of surviving
 friends of the princes who had been put to death;
 yet none dared again to conspire, or to rise in open
 rebellion against their King: although the nobles
 in general might regard with anxious jealousy such
 an augmentation as James's personal abilities ac-
 quired to the power of the Crown; yet they dared
 not to attempt resistance: although the commons
 might find cause of complaint, as well in the strict-
 ness with which the exercises of archery were en-
 forced,

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CHAP. I.

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1425-37.

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CHAP. I.

A. D.
1425-37.

forced, as in the newness of that taxation which their murmurs alone had prevented from becoming a more regular and permanent source of public revenue; yet even they rose in no popular tumults to check and resist the course of the laws. An embassy from England, in the mean time, strove to win James from the alliance of the French, and from giving his daughter in marriage to the son of their king; but could neither divert him from persevering in that doubtful neutrality which his discernment of the true interests of his kingdom still induced him to maintain; nor seduce him to violate his plighted faith in respect to the espousal of his daughter*.

Acts of
justice a-
gainst the
Highland
clans.

AMIDST this tenor of administration, and this progress of public affairs; the concerns of his internal government, which was the grand theatre of his ambition and his glory, called James to a sort of new conquest of the barbarous clans of the north. The peculiarity of their Gaelic speech, the remoteness of their country from the access of order and civility, and the savage rudeness and ferocity of their manners, rather than any refractory denial of fealty to the Scottish Crown, had hitherto held these clans in a state of lawless anarchy. At times, the sovereign or his justiciary, when there was peace in

* Fordun, XVI:—J. Major:—Skene's Acts:—Menzies:—Hollinshed:—Rymeri Fœdera, &c.

in the English border, would make a progress north-ward, and exercise upon those disorderly hordes, some terribly rigorous examples of criminal justice. For a moment, the example might impress a general and salutary terror. But, no sooner was the danger over, the arm of the executive government withdrawn, and its eye averted elsewhere, than the feuds, the rapine, all the lawless licentiousness of the clans, were still renewed even with wilder and more savage frenzy than before. Never had these feuds risen to a greater height than in this first period of James's reign, before he could find leisure to make his first judiciary progress into the counties of the north. The district of Strathnaver particularly, was inhabited by the clan of the Mackays, whose restless ferocity was incessantly employed in some enterprise of rapine or bloody contest with their neighbours. Angus Dow Mackay, the chieftain of Strathnaver, with his son Neill, and all the warriors of their clan, in the year one thousand four hundred and twenty-six, made a ravaging inroad into Cairnness, to spoil the district, and bring away a booty in cattle and other goods. At Harpisdell, they were opposed by the men of Cairnness in a desperate battle, from which neither party came off victorious. The feud was relentlessly prosecuted with all the fiend-like malignity, the persevering vigilance and activity, the artful stratagems, the carnage-enjoying fury of savages; when

SECT. E.
CHAP. I.

A. D.
1425-27.

SECT. I.
CHAP. I.



A. D.
1445-37.

when James came in person to Inverness, to repress and punish this and other similar disorders, Against these chieftains and their followers in their own territories, open force, however powerful, would have been employed in vain. Within their defiles, on the heights of their mountains, amidst their marshes, they might have lurked secure from capture by any foreign pursuer. James knew to avail himself even of those artifices and stratagems in which these people themselves excelled. The chieftains of Sutherland and Caithness were allured to repair to their Sovereign's Court and Parliament at Inverness, as if it had been simply to do them honour and receive their loyal homage, not to punish their crimes, that he had come. No sooner, however, were they within his power at Inverness, than he arrested, and brought them to trial. Some were beheaded, some hanged, many dispersed in custody into different castles of the Lowland barons. Others were treated with lenity, and sent home in honour, to maintain the King's peace among their clans. Angus Dow Mackay, being now old and infirm, and having had the address to recommend himself to the King's favour, was sent away in peace. His son Neill, a younger man, in the full vigour of his strength and faculties, appearing more likely to renew the former feuds, was sent in captivity to the castle of

of the Bais, where he was long to remain a prisoner*.

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CHAP. I.

A. D.
1425-37.

Transac-
tions in
the High-
lands.

NOR were the people of Sutherland and Caithness, the only clans, against which James found it at this time necessary to draw the sword of justice. The Lord of the Isles, who was also, by inheritance from the father of his mother, now earl of Ross; had, however, rather usurped this earldom, than obtained any legal enfeoffment of it, under the weak, inefficient regency of the late duke of Albany. Albany had himself claimed the succession; and had failed to make his claim effectual, solely in consequence of the remoteness of Ross-shire, its contiguity to the Western Isles, and the great local power of the insular chieftain and his family. James determined to dispossess Alexander of the disputed earldom, and to annex it to the domains of the Crown; either as an estate of fief, which by the failure of the lineal heirs male of its ancient possessors, devolved upon the sovereign as the Lord-Paramount; or as a possession of right pertaining to the family of Albany, and forfeited with the rest of their lands and honours. Alexander of the Isles persisted in usurping the fief of his grandfather. To seize the earldom of Ross, was one

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principal

* Fordun:—Contests of the Clans.

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CHAP. I.

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principal end of James's present justiciary progress through these northern counties. At the approach of his sovereign, the insular chieftain was alarmed and confounded ; and being allured into his King's presence, before he had entered into any well concerted scheme of open rebellion ; suffered himself to be easily persuaded to submit to James's pleasure, and either to resign all his pretensions to the contested earldom, or at least to hold it on such conditions as James chose to dictate. A momentary reconciliation thus took place between the monarch and this proud baron. It was, however, on both sides, probably insincere ; by Macdonald consented to, only for the purpose of extricating himself out of the danger to which he was exposed at his sovereign's court ; proposed from the King, merely as a temporary expedient, to conceal his purposes till he could assemble a force sufficient to break the strength of that most powerful and turbulent of the clans. No sooner, therefore, had the chieftain returned from the King's presence to his own domains, than he renewed all his former offences, and usurped the dominion of Ross-shire, with even more of impotent tyranny than he had before exercised. James, who although he had returned southward from Inverness, had not however withdrawn his attention from the affairs of the Highlands, instantly mustered an army of his faithful military vassals, and repaired again northward with
purposes

purposes of stern vengeance. Macdonald's army SECT. I.
CHAP. I. amounted now to no fewer than ten thousand A. D.
1425-374 men: He had burnt Inverness, the scene of his former humiliation, and was furiously advancing to ravage the more southern counties, and to avenge himself of all those loyal tribes who had lately at Inverness, supported the royal authority. At the news of his sovereign's approach, he again retired. The royal army still advanced. On a moor in Lochaber, the two hosts encountered each other in battle. At sight of the royal banner, two powerful tribes, the Clan-Chattan and the Clan-Cameron, deserting Macdonald, with whom they had come into the field, seasonably took part with the King, and thus eminently contributed to the decisive victory which he here gained.—Soon after, the Clan-Chattan, in a sudden fray which happened while they were met together at church, cut off the Clan-Cameron almost to a man.—The insular chief, after the battle in Lochaber, no longer able to make head against the King's troops; saw his country seized in the King's name, and was himself hunted about from one lurking-place to another, till he at last began to despair altogether, even of his personal safety. In this miserable plight, he contrived to find his way secretly to Edinburgh, to which the King had now returned; there in a garb of the most abject submission and extreme distress, cast himself at the monarch's feet
on

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on a high holiday, before the altar in the chapel of the abbey of the Holy-Rood; and then humbly implored his sovereign's mercy, declaring his readiness to submit to whatever the King might think good to command concerning his life and fortunes. His life was, upon this submission, spared; but he was sent in confinement to the castle of Tantallan, there to remain under the custody of Douglas, earl of Angus. His mother too, from whom came all his pretensions to the earldom of Ross, was enjoined to retire from worldly affairs, and in the nunnery of I-Columb-kill, to spend her last days in making her peace with heaven.— But, while this train of negotiation and war with the Lord of the Isles was lengthened out, and before it could be brought to a termination so happy for the King's authority; other feuds were still renewed among others of the northern clans; feuds which did not indeed originate in a direct opposition to the royal authority, but which could not be prosecuted otherwise than in contempt of it. The Mackays murdering the possessor of the estate of Freshwick, became obnoxious to the sovereign's criminal justice, on account of this flagrant violation of that public peace which it was his duty to guard. Murray, chieftain of a subdivision of another clan, was commissioned to seize the prime offender, Thomas Mackay. Murray, by his promises and persuasions, won Morgan and Neill, the

the brothers of Thomas, to assist him in seizing the criminal. He was seized and executed at Inverness; and his lands were bestowed upon Murray, by whose loyal exertions he had been brought to justice. Then Murray, to reward his coadjutors, who had betrayed their brother, gave them his own two daughters in marriage; and not without permission from the earl of Sutherland, went to put them in possession of the estate of Angus Dow Mackay; who was odious to the King, was worn out with the infirmities of age, had not his son at hand to fight his battles, and had been already destined to ruin and dispossession by the primary compact between Murray and his two sons-in-law. The bastard son of Angus Dow met the invaders at a place named Drum-ne-coul; and opposing them with all the force of his tribe, and with the most desperate and savage valour; defended his father in a battle which was obstinately prolonged, till few, on either side, were left alive. Old Angus Dow being carried out, when the fight was thus at an end, to view the bloody field, was slain by an arrow from the bow of a survivor of the invaders' party who had lurked behind a bush after all his fellows were slain. The invasion was indeed defeated; but almost all the invaded, as well as the invaders, were thus destroyed: And the bastard-son of Angus Dow, who although severely wounded, outlived the battle, was obliged to flee from the angry pursuit

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purfuit of the earl of Sutherland; and feek his fafety in the Western Ifles. The mutual slaughter of thefe furious tribes by one another's hands, fo effectually answered the purpofes of public juftice; that James did not find it neceffary to exert his authority upon the furviving offenders, otherwife than by the fubordinate miniftration of his fheriffs, jufticiaries, and earls*.

1430.
Feflivities
at Court,
and other
events.

JAMES's attention was now elfewhere more agreeably engaged. His own wifhes, and thofe of his people, were now happily answered by the birth of twin princes, whom his queen bore to him in the month of October, in the year one thoufand four hundred and thirty. The two royal infants were with great pomp baptized, at the monaftery of the Holy Rood, by the names of Alexander and James; of whom the firft-born died in infancy, but James furvived to reign after his father. At the ceremony affifted Archibald, earl of Douglas, and many others of the moft eminent barons in the kingdom. Among thofe gracious acts of royalty by which James on this occafion ftrove to gratify his fubjects, was, the conferring of the honour of knight-hood upon a number of noble youths who were the knights and companions in arms of his infant fons. Among thefe was William the fon and apparent heir of the earl of Douglas, John the fon of Simeon

Logan

* Fordun :—Major :—Buchanan :—Conflicts of the Clans :
—Statiftical Accounts.

Logan of Restalrig, James Edmonston, the son of SECT. I.
CHAP. I. William Crichton the King's chancellor, with the A. D.
1425-37. son and heir of William Borthwick of Borthwick.

—Yet these festivities, and this cordial union of the King with his subjects, could not remove that mutual jealousy which the severity of his justice, and the vengeance he had exercised upon so many of the greater barons, with his ambition to exalt the majesty of the Crown; had excited between him and his nobles. In the year following, he found it necessary to put the earl of Douglas and John Kennedy, both his nephews, under arrest, and to send them into confinement in his castles. It might be merely jealousy in the monarch's own breast, or the false, insidious suggestions of some of his unfaithful servants, that drove James to this measure. But, the decisive vigour and boldness with which he was accustomed to anticipate rising conspiracy and rebellion, had hitherto proved the grand securities of his reign. When his wrath was appeased, or when the danger which he strove to prevent by their imprisonment, was over; James listened to the intercession of his queen and nobles in favour of the imprisoned barons; and at the time of the meeting of his Parliament at Perth in the month of October in the year one thousand four hundred and thirty-one, set at liberty both Douglas and Kennedy, and was fully reconciled to them.—Donald

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nald Balloch, cousin to the Lord of the Isles, having, in the mean time, excited new disturbances, and new opposition to the royal authority in Ross-shire; having slain Alan earl of Caithness, and defeated a troop which this Alan, with Alexander earl of Marre, had conducted against him; and having then fled from the monarch's wrath, and taken refuge in Ireland: The King began to see, that it would be vain to hope for any permanent composure of the disturbances among the barbarous people of Ross-shire and the Isles, otherwise than through the intervention of Macdonald whom he had detained in confinement. At the same parliament, therefore, he set Macdonald also at liberty; and restoring to him the forfeited earldom of Ross, as well as his former principality of the Isles; sent him to re-establish order within his domains, and to cause the King's peace to be respected by the clans who were attached to Macdonald's cause.—The earl of Douglas, in the mean time, called abroad by the necessities of his affairs in France, and fearful that James's wrath, when next kindled against him, might perhaps prove mortal; sought permission to go abroad to take possession of that Duchy of Touraine which the gratitude of Charles the Seventh of France had formerly bestowed upon his father. This permission was easily granted by James; who although jealous of the power of Douglas, seems to have wanted any just
pretexts

pretexts to cut him off; and was therefore not sorry to see this powerful earl go into a sort of honourable exile, where he could not—either by combination with his fellow-subjects, or even by the respect with which the monarch found it necessary to treat so potent a baron,—overawe the royal authority, or check the execution of any new measures which James might be induced to take for the purpose of enlarging the prerogatives, and augmenting the possessions of the Crown. In the absence of the earl of Douglas himself, and during the reign of such a prince as James, it was impossible that there should not arise many occasions for diminishing that exorbitant jurisdiction, which the earls of Douglas had gradually acquired, for detaching many of the dependents on their house, and for even reducing perhaps their estates within narrower limits*.

THE concerns of trade, and the courtesies of kingly correspondence with foreign princes and states, were, in the mean time, not neglected by James. Among the statutes enacted in his frequent parliaments, many had for their object the regulation of the concerns of money, navigation, and commerce. A large Italian vessel had in October, in the year one thousand four hundred and twenty-five, been broken by a tempest in Leith-Road,

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James's attention to the interests of trade; and

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E e e

Road,

* Conflicts of the clans :—Skene's Acts :—Fordun XVI.—Drummond.

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Road, and its shattered remains cast on shore at Granton. By this and other similar incidents, the necessity was suggested of a law to regulate the property of shipwrecked vessels and their cargoes : And James took care to have it enacted by his parliament, that the shipwrecked vessels of any nation should be either plundered and appropriated, or spared, just as the people of that nation were themselves wont to act, in regard to Scottish ships wrecked upon their coasts ; for the laws of nations were as yet far from being universally ascertained and observed in Europe, in respect to the objects of navigation and commerce ; and the principle of equal retaliation borrowed from the law of Moses, through the medium of the canons of the church, had still an extensive operation in the system of the laws of Scotland. Offended with the States of Flanders, James had commanded his Scottish merchants to transfer their trade for a time from the harbours of Flanders, to the port of Middelburgh in Zealand. An embassy from the Flandrians came to appease his resentment for the injuries suffered by the Scottish merchants in their harbours, before the King's return out of England, and to solicit his permission for his merchants once more to trade with them as formerly. Their concessions and excuses, and the new privileges they offered to win back the Scottish trade, prevailed ; and James permitted the renewal of a commercial intercourse,

intercourse, which promised to be beneficial to his subjects. For some time immediately previous to this new commercial treaty, the Flemings had even granted letters of marque against the ships of Scotland, and inflicted innumerable mischiefs upon the Scottish trade, which chiefly the reverence entertained for the character of James among foreign nations, now induced them thus gladly to forbear. Since the death of Margaret of Norway, heiress of the Scottish Crown, the intercourse between Norway and Scotland had been almost wholly suspended. The tribute for the Hebrudian Isles, and the remains of those sums of money which had become due to Eric of Norway, from the inheritance of his wife and daughter, remained still due from Scotland to the Norwegian Crown. To renew, therefore, the ancient intercourse with Norway, and to fix equitable terms for the payment of the debt, such as might avert any sudden descent from Norway upon the northern or western coasts of Scotland; James dispatched thither on an embassy, William Crichton his chancellor, and William Fowlis the keeper of his private seal, with a suitable train of attendants. These ambassadors were honourably received at the Norwegian Court, and happily acquitted themselves so well of the business of their embassy, that they obtained a free discharge for the arrears of the tribute and other debts, and procured the future payment of the tribute to be settled

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1425-37.his policy
in respect
to foreign
nations.

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settled at the easy sum of an hundred pounds sterling a year*.

THUS on all hands prosperous, and prevailing over the turbulence of his nobles, even as a man of wisdom and strength might prevail over a rabble; or, as a soldier armed with fire-arms, over a company of miserable savages having nothing with which to annoy him but sharpened sticks; James determined to proceed still farther in resuming the ancient grants of the Crown; and in the year one thousand four hundred and thirty-four, procured a decree of his parliament, by which the ancient forfeiture of the earldom of March was declared to be still in force, and that act of the first duke of Albany was annulled, by which March and his family had been restored to their forfeited possessions. It was natural, that James should still retain some remains of resentment against a family which had occasioned the first mischiefs to his unfortunate elder brother, and had so daringly rebelled against his father. So considerable a castle as that of Dunbar, situate so immediately upon the English frontier, was,—while Berwick and Roxburgh still remained in the hands of the English,—a possession exceedingly desirable to the Crown, and almost too important to be left in the hands of a subject. In the attainder of Albany and his sons, in almost the

Forfeiture
of the earl-
dom of
Dunbar.

* Fordun :—Lesly :—Drummond :—Skene's Acts.

the whole train of the acts of the legislature and the measures of the executive government, ever since that period; that principle had been received, upon which the earldom of March was now declared to belong immediately to the King. It was enforced by a process regularly instituted, and conducted before the parliament, as well by procurators on the part of Dunbar,—as, in opposition to them, by the proper officers of the Crown. But, the King had already taken Dunbar himself into custody; and had, in the earl's absence, procured the castle to be surrendered to Crichton his chancellor, and Hepburn of Hales; who having presented the King's letters-patent, commanding this surrender to those who held the castle for Dunbar their absent lord; were respectfully received and obeyed by them, without any intermediate delay for orders from their master. Thus James saw his Crown once more enriched with fair castles and ample domains; and had made himself a King indeed, by the recovery of those possessions which had been alienated by the negligence or rapacity of the family of his uncle. The dukedom of Albany, the earldoms of Fife, Menteith, and Lennox, had been acquired by the punishment of the princes executed for treason at Stirling: the earldom of Buchan had been legally inherited by him from his cousin the famous constable of France, who fell in the battle of Verneuil: that of Marre, too, had lately devolved

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devolved to the Crown, in consequence of the death of its earl, a grandson of Robert the Second, and one of the distinguished warriors of the age. The earldom of Strathern also had been perhaps somewhat unjustly seized by James upon the death of his uncle David, its earl, without other heirs than a daughter, who was upon some pretext to be excluded from the inheritance: To all these possessions, James now added the earldom of March; few new grants were bestowed away out of these acquisitions: Scarcely ever before therefore had the domains of the Crown been at any one time so extensive. Yet, although Dunbar was thus deprived of the ancient possession of his family; James soon after conferred on him, instead of it, the earldom of Buchan; and granted, besides, an annuity to be paid to him out of the revenues of the earldom of March. Of the great barons there remained now only the earl of Douglas, the most powerful of them all, whose greatness could prove formidable to the Crown, or the largeness of whose possessions could attract the avarice of the monarch. It may be, that James waited only a seasonable opportunity to level the pride of the house of Douglas, as that of the family of Albany had been already overthrown*.

MARGARET the daughter of James, who was already betrothed in marriage to Lewis, the son and

* Fordun :—Buchanan :—Skene's Acts, &c.

and heir of the French King, was now in the thirteenth year of her age. No events had intervened which might have disposed either James or Charles to recede from their former engagement for the marriage of their children: the alliance of the two nations, the Scots and the French, was still reciprocally necessary to each of them as a support against the enmity and the power of the English. The inextinguishable hatred of the Scots to a people who were so much the foes of France, was to Margaret a rich dowry to recommend her to an husband, whose father the English still strove to dethrone. An embassy from France, therefore, having come to demand his bride to the young dauphin, was courteously received, and gratified with immediate preparations for sending away the princess, in compliance with their request. So odious was still taxation to all ranks of his subjects, that James in vain endeavoured to levy even that feudal tax which, by the fundamental principles of the law of fiefs, was payable by all vassals to their superior lord, for the purpose of making up a suitable dowry upon the marriage of his eldest daughter. Some scanty sums were obtained; but these so wholly inadequate to the demands and necessities of the monarch, and, at the same time, paid with such reluctance and discontent; that James, whether indignantly or graciously, ordered all that had been thus levied, to be restored to the contributors.

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Marriage
of James's
daughter
to the dauphin
of
France.

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butors. From the barons, however, and prelates, he courteously requested a different contribution under the name of a *benevolence*, *loan*, or *free gift*, which, in this way, they more chearfully and liberally gave. A fleet was then fitted out under the command of the bishop of Brechin, and the earl of Orkney. A splendid company of knights and ladies prepared to escort the young princess to the court of her father-in-law ; and in the spring of the year one thousand four hundred and thirty-six, Margaret, with this gay train of attendants, sailed for France. The English aware of this nuptial voyage, had hopes of intercepting Margaret, as her father had been intercepted before. An English fleet was sent to cruize upon the course by which it was probable that the Scots would sail. They vigilantly watched the approach of the Scots. But, while the expected prize did not yet appear, a rich fleet of Flemish merchant-vessels, laden with wines from Rochelle, suddenly coming in view, attracted the chace of the English, and became their prey. At the very instant when the English were in pursuit of the Flemings, the Scottish fleet came up nearly in the same course, in which their enemies had at first waited to intercept them ; and thus fortunately escaping, conveyed their young princess and her train in safety into the harbour of Rochelle. She was there fondly and honourably received with all her attendants. The marriage

riage was soon after consummated and then the greater part of those who had accompanied her to France returned home, with the news of their happy voyage, and of the celebration of the nuptials*.

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BUT, this now completed alliance with the royal family of France, and the hostility with which the English had endeavoured to intercept his daughter on her passage to that country, left it no longer possible for James not to renew the ancient warfare with England. While the English, under the command of the earl of Northumberland, began to make plundering incursions into the border-territories of Scotland; the Scots, on the other hand, at the order of their King, mustered a force in their south-east counties, to invade, or to repulse invasion. William, earl of Angus, with Hepburn of Hailes, Elphinston of Elphinston, and Ramsay of Dalhousie, were the leaders of the Scottish force, and were followed by a body of about four thousand gallant warriors variously armed. At Piperden, among the bases of the Cheviot-hills, contiguous to the small brook of Brammish, the two armies met in battle. A sharp contest there ensued, but ended favourably for the Scots, without any considerable loss upon their side. Of the English, about five hundred were made prisoners; few of note, were slain. The consequences of this rencounter

Battle of
Piperden.

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F f f

counter

* Ledy :—Fordun :—Drummond, &c.

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counter could not be either remarkably useful to the Scots, or hurtful to the English : And yet, so many prisoners taken, among whom there could not but be several men of rank and wealth, were a rich booty which would bring considerable sums of ransom : and it was somewhat to have gained in the first hostilities, an advantage which might encourage the Scottish soldiers to hope for equal good fortune in the future prosecution of the war. Either musquets or larger artillery, are *said* to have been employed with considerable effect in this engagement\*.

Siege of  
Roxburgh-  
Castle.

To prosecute the hostilities thus commenced with that vigorous and persevering activity which distinguished his character ; James soon after assembled his military vassals ; for he had not yet been able to form even a single troop of guards, or to maintain any mercenary soldiers ; and went on an expedition to recover Roxburgh-castle. This castle, one of the strongest places possessed by the English on the Scottish frontier, had remained in their hands ever since the æra of the first successes of Edward Balliol ; and its recovery would therefore be eminently glorious to James's reign. Sir Ralph Grey was the English commander in the place ; he had under his authority, a strong garrison ; and there was no deficiency of the stores requisite

\* Lessly, Lib. VII. P. 265. :—Drummond's works, Edin. 1711.—P. 13. &c.

quisite for sustaining even a tedious siege. James's army was numerous, and well-appointed; the exercises in archery which he had caused his parliaments to prescribe, had prepared them to contend against the English bowmen with better hopes than they could before entertain: he had procured particularly one large piece of artillery from Flanders, of a remarkable size, and better fitted than the ancient engines to make an impression upon besieged walls. When the garrison refused to surrender at the summons of the Scots, the place was regularly invested; and every effort was made to open breaches in the walls, and to reduce the besieged to the necessity of submission. But, in the mean while, James began to find himself all at once, unsafe, in the midst of so many barons, whose pride he had checked, whose crimes he had punished, whose licence he had restrained, whom he had stripped of various possessions unjustly acquired. Divided and scattered over the kingdom, each at his own castle, and upon his own lands, they could not well make themselves formidable to their sovereign who might have, at all times about him, a force more considerable, than any one of them could easily muster. Assembled together, and having their King in the midst of them, they were more powerful against him: The knights and barons immediately connected with him, and enjoying the confidence of his councils, could scarcely make more

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more than an inconsiderable part of the whole assemblage of his military vassals : The rest might now easily associate, conspire, and destroy their sovereign, or make him their prisoner, and usurp his power. At his frequent parliaments, there had been occasionally a numerous attendance of his vassals ; but at those times, the armed attendants of the greater part of those vassals, were comparatively few ; of the inferior people, but a small number were permitted to be present ; and the force of those who were devoted to the immediate service of the King, was always easily superior to that of all the rest, and sufficient to overawe and restrain them. Here every thing was different. Besides, every succeeding year of James's reign, doing somewhat more for the establishment of civil order ; withdrawing from his barons some jurisdiction which they had abused, or some possession which they had violently or fraudulently usurped ; introducing still new regulations, more civilized and refined in their nature and tendency, than that their scope could be fully comprehended by those who were commanded to obey them ; grasping still something more of wealth and of authority, to aggrandize the Crown ; and perhaps rendering James's temper still more gloomy and severe, and his sway still more arbitrary and haughty than before : Year after year had thus contributed, notwithstanding all his virtues, and all the patriotism of his government,

to

toe strange from him still more and more the minds of his nobles, and to make them wait with impatience for the season of war, when they might find a time to avenge all their real or imaginary wrongs. Whether then it were merely the gloomy jealousy of James's temper alarmed at seeing himself surrounded by so many men, of whom a number might possibly be his secret enemies ; whether his barons became openly refractory and insolent, or associated in secret cabals ; whether he received information of the existence of some conspiracy against his life, which he could not defeat by any bold exertion of his power ; or whether the military stores which he had provided were entirely consumed, and he could not longer detain so numerous an host in actual service in the field : Certain it is, that after having for about fifteen days besieged the castle of Roxburgh ; while there was fair reason to expect, that it might within no long time, be compelled to surrender to his arms ; James suddenly disbanded his forces, abandoned the siege of Roxburgh, and returned in haste to his favourite seat at the Carthusian monastery which he had lately erected at Perth. If his barons had indeed concerted any scheme for seizing his person, and compelling him to mould the measures of his government to their wishes ; he might thus seem to himself to have escaped out of their hands, and to have gained time for planning new punishments, and for preparing

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James  
suddenly  
forfeakes  
the siege  
of Rox-  
burgh.

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paring new measures of restraint and revenge to be carried into execution, as soon as a new parliament could prudently be called*.

He is trea-
sonably
murdered
at Perth.

BUT, James's precautions were to prove vain : He was destined to fall by the hand of conspiracy. He had not long returned to Perth, when his uncle Walter, earl of Athole, Robert Graham tutor to a youth of the same family, who had pretensions to the earldom of Strathern, and Robert Stewart the grandson of Athole, assuming some meaner accomplices to aid their guilty purpose, resolved to rid themselves of a sovereign whose longer life might prove fatal to their safety, and by whose death the old earl of Athole particularly might probably make his way to the highest pre-eminence of power. Perhaps this conspiracy had been first contrived during the late fruitless expedition against Roxburgh ; perhaps it was the effect of resolution now emboldened, or of fear rendered desperate in consequence of those circumstances which had attended the abandoning of that enterprize. It was, unhappily, but too successful. Athole had ever been the favourite uncle of James ; young Robert Stewart, as his kinsman, and a youth of no unpromising talents, was brought up with the most friendly kindness about his court ; even Graham was

* Fordun, XVI :—Boeth. XV :—J. Major :—Lesh :—Lindsay :—Drummond.

was not held at a distance, as a person injured or hated, but was trusted and employed as a faithful servant. In vain, therefore, had James dismissed his army: The mischief clung too closely to his bosom, to be thus easily shaken off. On the night of the twenty-first of February, in the year one thousand four hundred and thirty-seven, young Stewart and Graham, with seven of their accomplices, bursting into their sovereign's bed-chamber, cruelly assassinated him with many wounds,—while he sat at supper; wounding also his queen who strove to protect his life, by exposing her own body to their daggers; and having first slain Walter Straiton, a domestic servant, then in waiting upon him, who was the first to oppose their entrance into the chamber. None were near to bring timely aid to save their sovereign's life: None, except Sir David Dunbar who hastened from the town, came to intercept the retreat of the murderers. Snatching the sword from the bleeding body of his prince, Dunbar indignantly pursued the assassins; but in vain; they wounded him severely in the arm, and escaped from his pursuit*.

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BUT they could not long escape the vengeance of their country. After his death, it appeared how dear James had rendered himself to all his subjects, notwithstanding

* Eosdem.

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CHAP. L.

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The affas-
sins puni-
shed.

notwithstanding the wholesome rigour of his government, and the means which he so assiduously employed for the aggrandizement of the majesty of the Crown. From all quarters, the barons, prelates, and commonalty of the kingdom, eagerly repaired to Perth, at the first news of the treasonable assassination by which their sovereign had there perished. With all the activity that uncontrollable rage could prompt, they instantly pursued, seized, and brought the murderers to justice. Their condemnation was instant and furious. New and unheard-of punishments were devised, in order to render the sufferings of their execution commensurate with the heinous atrocity of their guilt. All the superior criminality of Athole was revealed : Some witch or wizard had anciently foretold to him, that he should, one day, wear a crown ; having his guilty ambition thus goaded on, he had contrived various mischievous machinations against the other branches of his own family ; with him had originated the idea of the conspiracy which had cut short the life of James : Graham, young Stewart, and their other accomplices, were but puppets moved by his hands. Athole, thus atrociously criminal, with his accomplices, were carried to Edinburgh, to undergo the destined punishment. Athole's sufferings were, with something of that horrible refinement in cruelty which the savages of America have been said to exercise upon their victims taken in

in war,—protracted for the space of three successive days. On the first of these days, he was stripped naked, and dragged several times backward and forward through the town; after which, in derisory fulfilment of the witch's prophecy in which he trusted, he had a crown of red-hot iron publicly set upon his head. On the second day he was dragged at the horses' tails through the different streets of the town. On the third day,—for he was not yet dead,—his bowels were torn out from his living body, and burnt before his eyes; after which he was beheaded, his corpse yet warm and quivering with life, was quartered, and the parts were sent to be exposed in the four principal towns of the kingdom. Robert Stewart, who had been merely the tool of his grandfather's villainy, was only hanged and quartered. Robert Graham who had been the actual perpetrator of the parricidal deed, was still more cruelly tortured even than Athole. Several of the meaner accomplices were only hanged, without being subjected to lengthened torments. And even the innocent relations of the assassins did not escape suffering for their crime*.

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IT is almost needless to sketch the character of James, after having thus related the transactions of his reign. All the faculties of his soul, all the

VOL. III. G g g passions

* Lesly :—Drummond, &c.

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passions of his heart, were exerted in all their energy in the administration of his government.

Among the Scottish nobles, he appeared as a man among children ; as a person, adorned with all the accomplishments of civilization, among a horde of savages ; as some angel sent from heaven, on an errand of chastisements among the erring, refractory, astonished mortals whom he comes to punish. The two most striking qualities of his understanding appear to have been, that *keen, perspicacious discernment* of mind, by which he could correctly distinguish his own true interests, as a man, and as a monarch,—together with that *enlarged comprehension of intellect*, which enabled him to act upon an extensive and skilfully compacted system of policy, within which all his views and measures were embraced, and to the accomplishment of which all the acts of his government constantly referred. Other princes and statesmen have been content to glide down the current of events, without endeavouring to regulate by their own exertions the course of the bark in which they sailed,—or using only occasional and commonly fruitless efforts, here to avoid a shallow, or there to recede from the headlong violence of the streams : James acted as a master mariner and pilot ; by the skilful management of the sails, the oars, the helm—domineering over all external circumstances, making winds and seas obey his voice, holding his unvaried

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ed course, in spite of every obstacle, to the distant shore for which he has set sail. A *third* striking feature in the character of James's mind, was partly the result of those qualities of his understanding which have been here specified, and in part depended upon the habitual tone and temperament of his passions. This was that bold, decisive promptitude of execution with which he usually carried all his measures into effect; anticipating the enterprizes, the designs, the very suspicions of his enemies; being bold without rashness, and passionate without folly. It does not certainly appear that he acted, from the first, with a fully concerted purpose of altering the relative weights of the aristocracy, and of the Crown, in the constitution of the Scottish government. It is more probable *that* he sought first to provide a suitable revenue for the support of his dignity; then to punish the family of his uncle for the ills which they had wrought to his father, his brother, and himself;—then to recover possessions which seemed to him to have been unfairly wrested, or prodigally lavished away from the Crown; then to suppress all civil disorders among his subjects by the vigorous administration of justice, for which there appeared to be no other means except the exaltation of the influence of the Crown, and the diminishing of the strength of every factious baron;—*and that* in the course of his execution of this system of measures,

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his consciousness of the integrity and wisdom of his purposes, made him still more and more arbitrary in his commands; while the refractory turbulence, and mischievous licence of his subjects provoked him to more rigorous severity of punishment, and of vengeance; and habitual suspicions of the wicked machinations to which the virtue and wisdom of his administration, exposed his life, might gradually sour his temper to something of tyrannical gloom and harshness. James had seen the wise and heroic Henry the Fifth, shoot, as it were, with the transient blaze of a meteor, through the horizon of English empire: And his young heart had even then, probably, been inflamed with the ambition of rivalling a character so splendid. In England, James had seen the feudal system declined much nearer to its fall, than it as yet was in Scotland; and new arts, new manners, new policy, new science, beginning to arise upon its ruins: and hence those plans of taxation which his kingdom could not yet bear, and those attentions to commerce, by which he signally improved the state of trade and of the mechanical arts among his subjects. That conspiracy which at last cut short his life, must have been conducted with wonderful art and secrecy; otherwise James's wonted vigilance, discernment, and anticipating promptitude, would undoubtedly have prevented it. James's life was unstained by any crime, either of a lighter or a more

more atrocious nature. Jane of Beaufort, his SECT. I.
CHAP. I. queen, was the only mother of his children, the A. D.
1425-37. only mistress of his life. His hands were stained by the blood of no friend slain in sudden anger. His plighted faith was still religiously observed. His resentments were wonderfully tempered between the emotions of nature, and the sternness of wise policy; moderate, as if his breast had not felt what his voice and actions indicated; yet relenting as if it had been mere unreflecting feeling, from which they sprang. Even while his frugality withheld his hand from lavishing upon the church the revenues of the Crown, and excited him to lament that his predecessors had alienated so much to pious uses; yet his own piety moved him to introduce into his kingdom the Carthusian friars, a new order, at this time eminent for the purity and ascetic austerity of their lives; and to found for them a stately monastery at the town of Perth. In all the elegant arts of peace, James was one of the most accomplished persons of his age. In music, he was a composer distinguished alike for skill and genius; and remarkable for reducing to the laws of regular melody, and expressing by notation, those wild airs of the ballads and minstrel songsters of his country, which had originated partly from native wood-notes wild of the peasantry, and in part from the miserable imitation of the music of the services of religion. He was wont to play on

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a great variety of musical instruments ; on the harp in particular, with unrivalled excellence. He was the author of several beautiful pieces of amatory and humorous poetry, in the vernacular language. In throwing the hammer or the stone, in shooting a bow, or darting a javelin, he had scarcely an equal. His form was rather below the middle stature in height ; but remarkably robust, with large bones, broad shoulders, a lank belly, and well knit joints. In wrestling, few could match him ; he was an indefatigable walker ; an intrepid and agile rider. In his hours of amusement at his Court, he would sometimes retire to the literary studies of reading, writing, and composition ; sometimes he would employ himself in drawing and painting ; at other times, the orchard, the garden, the plantation of trees and herbs, and the marking of the progress of vegetation, offered an interesting gratification to his manly, ingenious, and cultivated mind. He observed the corrupted morals, particularly of the regular clergy, and laboured to reform them. His hours were carefully portioned out ; and every part of the day had usually with him its stated employment. Had he survived to prosecute the war with England, it is probable that he might have shewn himself as great in the arts of war, as in those of peace. It was never more remarkably evinced than in the instance of the grief with which James's subjects lamented his death, and of the insatiable cruelty

cruelty and fury with which they avenged his murder, that the wholesome severities inflicted by virtue and wisdom, never to fail to endear that excellence by which they are exercised, to the persons who for their own welfare suffer under the chastisement—much more entirely, and much more deeply, than all the light compliances of folly, flattery, and vice. Even those who murmured at the rigour of his government, could not help feeling its beneficial tendency; and when by his sudden and violent death, they were awakened to reflect upon the excellence and awe-commanding dignity of his character; they seem to have been universally astonished at the very idea of the possibility of traitorous hands being lifted up against the life of so great and good a man.

JAMES left by his wife, the daughter of the English duke of Somerset, an only son, James, who succeeded him on the throne; and besides the dauphiness of France, four other daughters,

CHAP.



CHAPTER II.

Reign of JAMES the SECOND.

A. D. 1437.
Accession
of James
the Se-
cond.

JAMES, the only surviving son of the deceased King; a boy, as yet, only in the seventh year of his age; was solemnly crowned King of Scotland in the chapel belonging to the monastery of the Holy-Rood, at Edinburgh, on the twenty-fifth day of March, in the year one thousand four hundred and thirty-seven. The puerile years of the young King were unfit for the administration of the government: but except those smaller vassals who had lived as immediately upon the King's proper domains, and, in his constant service, as the subordinate vassals of the great barons lived upon their domains, and in their service; there were none so much interested in the welfare of the royal family, or so perfectly acquainted with the system of administration which James had established, as to deserve that the care of the family of their late sovereign, or the conduct of the government during the minority of his son, should be by the nation intrusted to them. In the awakened ardour of their present loyalty, and in their reverence for every measure which their monarch had pursued,

and for every faithful servant whom he had employed; the convention of the estates were therefore induced to commit the regency of the kingdom to Sir Alexander Livingston of Calendar; while the tuition of the young monarch was left to Sir William Crichton of Crichton, who was still continued in the office of chancellor, which he had with great reputation held, during the reign of James the First*.

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Thus far all was harmony among the barons. All these their first measures were dictated by an ardour of indignant loyalty which brooked no discordancy of sentiments or opinion. If the government of a minority could have been, in this age, stable, or vigorously efficient, and prosperous; that of young James, as it should seem, might have been so. England, distracted by the evils of a contemporary minority, and struggling hard to retain continental dominions which the better genius of France, was now successfully tearing from her grasp; could not retaliate those evils which the Scots had striven to inflict upon her, by the siege of Roxburgh-castle. France, content with the levies of soldiers which were, from time to time, obtained, out of Scotland, would not now urge the Scots to the farther prosecution of war at home, against the English. The claims of the Nor-

Condition
of Scot-
land in
respect to
foreign
relations.

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wegians

* Lindfay of Pitcottie:—Supplement to Fordun, &c.

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wegians had been allowed, and their friendship conciliated by an honourable embassy; so that no invasion from the ports of Norway was now to be feared. From Rome, no sentence of commination nor of actual excommunication, hung like a pitchy cloud big with thunder, over the heads of the Scots. All abroad was peace to the Scots. Internal harmony, a beneficent and vigorous, internal government, was all that they had presently to care for. For their domestic unanimity it had perhaps been better, if a tempest from abroad had already lowered; and if all the mischiefs of domestic invasion, or the wasteful folly of wild, foreign, military enterprizes had been renewed*.

Licentious
distur-
bances.

OF the new reign, the first acts were naturally acts of grace. Many of those turbulent barons, and restless chieftains of clans whom the late King had detained in confinement, were now set at liberty. Neill Mackay, the son of Angus Dow, now dismissed from the Bass, repaired eagerly home, to take possession of his father's estate, and to renew those feuds and depredations in which he had so turbulently distinguished his early youth. Archibald Douglas no sooner heard the news of the death of a sovereign whom he had revered, feared, and hated, than he returned home from France, to enjoy, as he hoped, the first place among

* Eofdem.

among the Scottish nobles, and either to assume the direction of the government, or to check, overawe, and enfeeble it in all its operations. Throughout the kingdom, a thousand agents of mischief were now of a sudden let loose, a thousand springs of disorder were broken up; that licence and misrule which had prevailed during the regency of the family of Albany, began to be renewed; the reins of government were now no longer in the hands of that prince of whom treason had robbed the throne; all seemed as if it had been a multitude of war-horses without riders, driven into the thickest fury of battle. Macdonald, too, Earl of Ross, and Lord of the Isles, who since his liberation from confinement, had paid an unwilling obedience to his sovereign's authority; no sooner knew that James the First was no more, than he began to exercise that supreme power, scornful of all controul, which had been anciently claimed and enjoyed by some of his predecessors. Except upon the immediate domains of the Crown; the King's peace was soon hardly any where respected, his officers received with submission, or the laws duely revered.*

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AMIDST these circumstances, when the most cordial union of interests and of counsels, was obviously requisite to enable the governor and the chancellor

* Lesly :—Lindsay :—Conflicts of the clans.

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CHAP. II.A. D.
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chancellor to maintain the royal authority in any thing like due vigour, and to guard the possessions and rights of the Crown; these two men, otherwise not ill qualified for their respective offices, were, on the contrary, divided between themselves, and hostile to one another almost as if they had been the ministers of two rival kings. While Crichton, with the young monarch under his care, fixed himself at the Castle of Edinburgh; Livingston occupied, as the seat of his administration, the castle of Stirling. Instead of exercising each the functions of his office, without intermeddling in the duties, or grasping at the powers of the other; they rivalled one another in the assumption of equal powers in the same things, and in pretending to exercise almost all the same functions. Among the inferior vassals of the Crown, each had soon his partizans, who, while they obeyed the authority of one of the two, and favoured his interests; scorned, and thwarted, with the utmost zeal, whatever acts of majesty were administered by the other. The greater nobility contemned and slighted both alike. United, they could hardly have equalled the authority of a Douglas or a Macdonald; divided, they were weak and contemptible before these powerful earls. Crichton, however, who had been long the confidential minister of all the measures of the late King, and who had now the custody of his young master's person, and the care of

of his education; was by these advantages enabled SECT. I.
CHAP. II. to out rival the power of Livingston; and had it A. D.
1437-60. not been for the benefit which the authority of the latter derived from the favour of the queen, might soon perhaps have left him nothing of a governor, but the empty name*.

THE queen-mother, however, friendly rather Progress
of the fac-
tions. to the interests of the governor, and secretly jealous of the authority which such a man as Crichton acquired, by having the custody of the person of her son; soon made herself the agent in an intrigue to transfer young James from Edinburgh to Stirling,—from the tuition of Crichton to her own, and that of Livingston. For the accomplishment of this purpose, she suddenly repaired to Edinburgh, on a visit, as she pretended, purely of maternal kindness to her son. By the chancellor she was respectfully received, and courteously entertained; for it was still more honourable and important for him to have at Edinburgh, and in his interests, both the young King and the queen-mother, than if it had been the king alone. But, while Crichton was pleasing himself, that he had won her from favouring the power of his rival; she, in the mean time, so gained upon the affections of her child; that the royal boy agreed to accompany her to Stirling; and with a secrecy, of which boys at

* Lindsay:—Buchanan, &c.

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at his years are rarely capable, to conceal her counsel, till they might find a fit opportunity of making their escape. Jane, upon this, pretending that she was to fulfill a vow, by a pilgrimage to the *White-Kirk* of Brechin, in entering on her way to which, she must sail across the Frith of Forth; obtained unsuspecting permission from the chancellor, to convey to Leith, some trunks containing clothes and other necessaries for her journey. A correspondence with Livingston at Stirling, warned him of the ripening success of her enterprize, and of the steps to be taken by him in order to forward its accomplishment. Into one of the trunks which seemed to convey only clothes or other stores, young James willingly crept, at his mother's persuasion. Thus concealed, he was carried from the castle with his mother, conducted to Leith, there led on board a vessel which Livingston had sent, and had proceeded half-way up the Frith to Stirling before Crichton was at all aware or suspicious of his flight. To Crichton, it must have been scarcely less mortifying to find himself thus outwitted by a woman, after all his experience in the arts of policy and the practice of courts, than to be thus suddenly robbed of the custody of his sovereign's person, the grand source of his power*.

LIVINGSTON

* Lindsay :—Lesly :—Drummond.

LIVINGSTON was eagerly ready to receive the queen-mother and her son from the voyage which they made, with fearful speed, up the Forth. The patriotiſm, the genius, the maternal affection of the queen, were extolled with the tenderest praises: The infant king was careſſed and flattered with the promise of uſage infinitely kinder, and more agreeable to his puerile humours, than he had received at Edinburgh: a parliamentary aſſembly of the adherents to Livingſton was haſtily called; and an act was tumultuoſly paſſed, authoriſing the governor to proceed in arms againſt rebels,—a denomination for Crichton and thoſe who remained with him,—holding out caſtles or fortalices againſt the parliament, the governor, and the King. The queen, with an ardour, ſuch as is, for a ſhort time, natural to women in affairs in which they are heartily engaged; furniſhed proviſions from her own granaries and ſtores for the uſe of the expedition againſt Crichton, who was thus to be proſecuted as a rebel. Crichton, unable to withſtand, alone, the coming ſtorm, and not knowing how to avert it, bethought him of aſking protection and ſupport from the earl of Douglas. He aſked in vain. Douglas, now, above compariſon, the moſt powerful, the moſt opulent, and in all reſpects the firſt man in the kingdom, ſcorned Livingſton and Crichton alike; and lording it without controul in the ſouthern and ſouth-weſt counties, left theſe

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rulers

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1437-60.
Advantage
obtained
by Li-
vingſton.

SECT. I.
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1437-60.

Artful po-
licy of
Crichton.

rulers to annihilate all power before him, by preying upon, and wasting one another. Disappointed of all support from Douglas, and already invested in the castle of Edinburgh by the governor's army, Crichton came immediately to the resolution of surrendering the castle, and making his peace with his—for this time more fortunate rival. Crichton knew both Livingston's character and his own talents; and had therefore hopes of recovering by the mere ascendancy of his personal abilities over those of Livingston, all the advantages of which the queen-mother's intrigues had bereft him. At a first interview solicited by Crichton for the purpose of settling the terms upon which he should capitulate; this artful politician contrived to divert all the anger of his adversary from himself, against the earl of Douglas; and to draw Livingston into such new union with himself, that for the easy price of merely formal surrender and submission, all that Crichton had before enjoyed, of honour or of authority, was restored to him, and Livingston was persuaded to repose for some time at least, an implicit confidence in his counsels. Thus united, they seemed likely soon to restore the royal authority to much of its former energy; and the state was likely to be a gainer by this progress and termination of their quarrels*.

ALREADY

* Lesly :—Lindsay :—J. Major :—Drummond.

ALREADY had innumerable mischiefs been inflicted, throughout the country, by the disorderly upon the peaceable, or by the disorderly upon one another, in those endless feuds to which their savage manners and long trains of mutual injuries continually prompted them, and which there was no strength in the government to restrain, while its ministers were divided against themselves. In prosecution of an ancient feud, Boyd of Kilmarnock assassinated Allan Stewart of Darnley. The assassination was followed even by open war between the two parties; and in an obstinately fought battle, in which the Stewarts scarcely prevailed, Boyd was slain with many of his followers, by Alexander the brother of the murdered Alan Stewart. In the north, the men of Ross, Caithness, and Sutherland, wasted one another's territories with fire and sword, and fought in open battle,—and cut one another off by secret treachery; so as to spread the most horrible devastation and havock throughout all these counties. Archibald, earl of Douglas, was,—not unfortunately for the administrators of the royal authority,—cut off by an inflammatory fever, at Restalrig, in the year one thousand four hundred and thirty-nine: But, his son William, a youth of fourteen years of age, succeeding to the earldom; was,—if more rashly and imprudently, yet so much more wantonly and haughtily, as to

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Disorders
in the
court and
kingdom.

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be more troublesome to the ministers,—scornful of the royal power, and so adverse to social order, as to let his vassals loose to prey like thieves, robbers, or inveterate foes, upon all their neighbours. The queen-mother, too, marrying a young knight, the brother of the lord of Lorne, sought to raise this husband of her widowhood, to an authority in the state for which he was unfit, and which Livingston would not suffer him to assume: And hence originated dissension between the queen and the governor; the imprisonment of her husband and his brother; and on her part, a new intrigue to snatch her son out of the hands of the governor, and to deliver him once more into the custody of Crichton. The Macleods, in the mean time, while the King's justiciars came not about with a force sufficient to teach them submission to the laws,—descended from the extremities of the western Highlands, in an expedition of rapine or revenge, upon the confines of Lennox or Dumbartonshire; and in a great conflict on the borders of Lochlomond, overthrew Colquhoun of Luss, with the strength of his clan and of the county; and thus victorious, laid all those districts waste with fire and sword, with every act of unsparing rapine, and every crime of wanton cruelty that savages could devise or perpetrate*.

CRICHTON

* Eoſdem.

CRICHTON again weary of guiding the regent's counsels merely by more profound artifices and superior wisdom; or having perhaps already lost that hold on the regent's mind which he had in the first mutual ardour of their reconciliation possessed; lent a willing ear to the suggestions which the queen-mother proposed for restoring to him the pre-eminency of power, by putting the person of the King once more into his hand; or was perhaps himself the first prompter of the queen's new devices against Livingston. On a dark night, Crichton with a select party of his friends, departed secretly from Edinburgh towards Stirling. The queen still retaining all her former influence over the mind of her son, had already persuaded him to endure with impatience that sort of honourable confinement in which he was detained by the governor; and encouraged him to seek the first seasonable opportunity of making his escape to Crichton. Whether it were by accident, or in concert, the King, on that very morning, rode out to hunt with a slender company of attendants; and ere these could be aware, that danger was nigh, they were all in the midst of Crichton's party. Crichton seizing his sovereign's horse by the bridle, invited him to come with him. The King smiling, refused not the invitation. Those who had attended him from the castle, would, however, have made resistance; but young Livingston, the governor's eldest

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James captured away by Crichton from the custody of Livingston.

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eldest son, restrained them; saying, that 'against such odds, resistance was vain, and the very attempt might endanger the personal safety of the King. Crichton and his troop, therefore, escorted their young sovereign, in great joy, towards Edinburgh, and on the way, were joined by several thousands of armed men; whom Crichton had summoned—to await the success of his expedition between Linlithgow and Edinburgh,—and when he should have gained possession of the King's person, then to join and strengthen his party against pursuit from Stirling-Castle. Thus attended, Crichton with his young sovereign soon reached Edinburgh in safety; and the King's presence, of course, made Edinburgh now the principal seat of the government, and Crichton the chief minister of the royal power; who might easily procure Livingston to be declared a rebel, and displaced from his high office*.

MEANWHILE, the governor himself returning to Stirling, after a few days absence, found, to his utter confusion, that the king was gone. After consulting with his friends, and meditating with himself, what part he should now take; he could determine upon nothing better than to repair to Edinburgh, and there to endeavour to make his peace

* Lindsay :—Lesly :—Buchanan :—Lindsay :—Hume's history of the Douglasses.

peace by submission, with the rival by whom the prize of their ambitious contentions had thus been stolen from him. At Edinburgh, Livingston found the bishops of Aberdeen and Murray, who readily agreed to interpose their friendly offices for effecting another reconciliation between him and Crichton. Crichton well aware, that while Douglas and others of the great barons contemned the royal authority, and slighted equally both him and Livingston,—any lengthened diffension between them, must prove ruinous to both; and being himself content with an equality, or with at least no invidious superiority of power in the administration; was ready to listen to any proposals for an accommodation which should not refuse to leave the king in his custody. Livingston consented to this condition. Their differences were then finally reconciled; Livingston was confirmed in his office of governor; and they joined hand in hand, for the vigorous administration of the royal power, and for the purpose of humbling those too powerful barons who now treated their authority with disdain.*

THE young earl of Douglas took no part in these alternate contests and reconciliations of the regent and the chancellor. He resided at his own castles, within his own wide domains; and being there surrounded by his kindred and vassals; and guided chiefly by the counsels of Malcolm Fleming

of

* Eodem.

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The young
earl of
Douglas.

of Cummernauld ; acted more like an independent prince, than a subject, and scrupled not to exercise all the functions of kingly authority. Fleming and Alan Lauder had gone ambassadors from young Douglas, to Charles the Seventh, king of France ; and had readily obtained from that monarch, investiture for their lord in the dutchy of Touraine, which had been first conferred upon his grandfather, and had been enjoyed also by his father. The mind of the youth was thus elated above measure. He governed his own vassals with a lenity of dominion which, while it attached them to himself, as the patron of their licence and their crimes ; encouraged them to harass the obedient subjects of the king, at their pleasure, with acts of robbery, theft, and wanton hostility. All who dreaded from Livingston and Crichton, the punishment of their crimes, found with Douglas, a secure refuge from which they might bid defiance to the power of the regal government. The southern and south-west counties seemed about to be detached into a new principality. It appeared as if the late king had cut off so many rebellious nobles allied to his own house, only to make way for the unavoidable aggrandizement of one great family by which the majesty of the royal family was to be overtopped, and reduced, as it were, under a noxious shade.*

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* Lindsay :—Lefly :—Hume's history of the Douglasses :—
Drummond.

A PARLIAMENT being forthwith assembled at SECT. I.
CHAP. II. Edinburgh, after the second reconciliation of Livingston and Crichton; the grand object of its deliberations, was, to determine by what means they A. D.
1437-60.
Counsellors
against
Douglas. might bring young Douglas to pay a willing submission to the royal authority, or might, by force, or artifice, subdue his rebellious insolence. It remained with Crichton who had been the confidential servant of those measures by which his late sovereign had successfully taken off so many of his turbulent barons,—to devise means for humbling the pride of Douglas. The young earl was courteously invited to attend a new meeting of the parliament, in which it was pretended that the public business of the kingdom could not be transacted without the authority of his presence, consent, and counsels. With the pride of rank and power, the young earl had likewise all the ingenuousness of inexperienced youth, and that freedom from suspicions, which it was natural that his ignorance of men, and his unacquaintance with every thing but power and flattery should preserve in his opening mind. His friends and counsellors were either unsuspicious, like himself, or were corrupted by money or by hopes held out to him from Livingston and Crichton. Perhaps, indeed, the alternate reconciliations and quarrels of the two ministers, might lead young Douglas and his friends to imagine that he too might with as little danger accomplish

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plish his reconciliation with the administrators of the sovereign power; and that he might then add to his hereditary authority and honours, the new advantage of dictating his wishes to the parliament of the nation, and of obtaining the chief share in the administration of the monarch's power. Besides, without going—not only into doubtful, but into open and decided rebellion, it was no longer possible for Douglas to disobey that courteous summons which called him to Edinburgh. Crichton, aware of the youth's approach, went courteously out for many miles to meet him; conducted him on his way, to Crichton-castle, a few miles from Edinburgh; and there for two days entertained him with the most respectful service, and the most sumptuous hospitality. From Crichton-castle,—for this was not the destined scene of any attempt against young Douglas's life,—they came, all, onwards to Edinburgh. Douglas, with his only brother David, and Malcolm his counsellor and friend, with all their attendants, lodged in the town. A crowd of the other barons who were obedient to the royal authority, with their vassals, had at the same time repaired thither. Even now, however, whispers of danger to the young Douglasses, began to be circulated; the face of things seemed to wear such an awful calmness as is wont to precede a storm: suspicions began to arise in the minds of some of the young earl's friends, that Livingston
and

and Crichton could not possibly mean in their hearts, all that kindness and respect which they so ostentatiously proffered to him. But, the young earl was himself too void of guile, of a magnanimity too manly and elevated, to give belief to such whispers and fears, or to suffer them at all to influence his conduct. An entertainment in the castle of Edinburgh, where Douglas, his brother, and his friend, were to be feasted at their sovereign's table : was to crown the reconciliation of the earl to the administration of Livingston and Crichton ; and to gratify his ambition with one of the highest honours which could be conferred in addition to those which had been already lavished upon him. His friends, his kindred, David his younger and only brother—would have withheld him from too credulously trusting himself within the castle whither his train could not accompany him. *At least,* said his counsellors, *let one brother stay behind : It was the dying advice of earl Archibald, to his two sons; that they should never trust themselves both at once within the power of any persons from whom there might be danger to their personal safety.* By all these suggestions the earl's mind was still unmoved ; the conduct of Livingston and Crichton seemed to be altogether remote from aught like fraud. William and David Douglas, the two only sons whom earl Archibald had left, with Malcolm Fleming their friend, entered the castle, and sat down to a mag-

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nificent entertainment at their monarch's table. Every countenance wore an aspect of kindness and welcome ; the young King received his noble guests with boyish fondness ; Livingston and Crichton still shewed the same almost parental favour which all their words and actions had expressed in the town. The entertainment was prolonged with a cumbrous pomp, and a great variety of delicacies. But, at the last, a bull's head was suddenly placed before the two noble guests : They knew, too late, the signal of death, sprang hastily from their seats, and made some efforts to escape. In vain. A band of armed men who awaited the signal from within, now rushed upon them ; in spite of all the tears and intreaties of the King, bound their hands ; and led them forth to instant execution on the Castle-hill. Thus fell William earl of Douglas, and with him his brother David, while the eldest of the two was not yet sixteen years of age. Malcolm Fleming, their counsellor and companion, shared their fate. Their execution punished acts of rebellion which could not have been otherwise either punished or restrained. But, that fraud which Crichton and Livingston had employed, to supply the want of due force, and to bring the young men within their toils, was too darkly wicked even for the weakness of the government in that age to be justified in employing it ; was unworthy of the school of policy of James the First, who knew to employ

employ artifice where strength and authority failed, to the very point beyond which the use of artifice would have been unjust,—but without ever greatly exceeding that point. Crichton here followed the policy of his ancient master; but greater weakness drove the servant into more atrocious guilt, than his former lord would in such a case have incurred. James the First would most certainly have pardoned and dismissed the boys upon their promises of amendment; or he would at least have only detained them in safe confinement, until they should have learned due respect for his authority. The parliament soon sanctioned the execution of the Douglasses, and declared their death to be only the merited punishment of treason. Yet, their estates and honours were not forfeited from the family; but James, brother to Archibald their father, was suffered to succeed to the earldom of Douglas. And he, on the one hand, content with the succession he had gained, strove not to avenge his nephews' murder; while, on the other hand, Livingston and Crichton satisfied with the murder of the two boys whom they had slain, or perhaps, already, half-repentant of their crime, did not immediately employ any farther machinations, either to exterminate the family of Douglas, or to diminish its jurisdiction and possessions*.

IN

* Lindsay :—Buchanan :—Hume's History of the Douglasses.

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State of
the inter-
course
with so-
vereigns.

IN the meantime, there arose nothing from abroad, so to occupy the turbulent spirit of the Scots, as that the progress of their intestine jealousies and dissensions might have been thus interrupted. The reign of a minor, the factious contests of his ministers and kindred, the exhausting efforts which the English made to retain possession of those provinces in France which Harry the Fifth had conquered,—left *them* no force and no leisure to renew any unprofitable warfare with the Scots. However earnestly the French might wish still to kindle up and maintain the flames of internal war in Britain; yet they could not persuade young James's ministers and subjects to renew gratuitously a warfare with England, from which the evils which they had to dread, might well be accounted to be much more formidable, than to counter-balance any advantages they had to hope. The queen-mother, too, whose father Somerset, and her uncle the Cardinal of Winchester, held the chief influence in the direction of English affairs, may naturally be supposed to have had—some share of influence with her own kindred, to induce them rather to forbear annoying the Scots with renewed war, and again—some interest with the ministers and tutors of her son, to incline them rather to neutrality in the contest between France and England, than to offer too zealous an interference on the side of France; especially as her daughter was neither

ther tenderly beloved by the dauphin her husband, nor had born him any son to expect the inheritance of his honours and power. On the side of Norway, all was still friendly : Nor had the Flemings again renewed those hostilities against Scotland which their negotiations at the Court of James the First had happily terminated*.

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BUT, although it was still thus at the extremities of that theatre of social and political life which the Scottish history of this period presents ; yet, in the centre and upon the foreground, an important drama was still going on. The stage was narrow ; the actors few ; but every character was strongly and discriminatively characterized ; every soul was pregnant with that genius, and with those high passions which menace grand events : and the changing scenes were of such a nature ; that each seemed still to promise something necessarily different from what went before, but more fearfully interesting than all by which it was preceded. The infirmities and the pacific disposition of earl James prevented any dissensions from arising between him and the ministers of the regal power, during the three years for which the possessions and honours of the earldom of Douglas were enjoyed by him. Had it not been for James's cautious policy, however, the possessions of this great house might now

Affairs of
the Doug-
las family.

* Hollinshed, &c.

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now have been in such a manner divided; that it would no longer have been the rival of the throne, and would therefore have been no longer in equal danger of being overthrown by the difficulty of that invidious height to which it had towered. The two unfortunate sons of earl Archibald had left a sister Beatrix, who was known by the appellation of the *Fair Maid of Galloway*. The earldom of Douglas, concerning which it was provided, that it should be inherited by heirs-male alone, could not therefore fall to Beatrix. But the earldom of Galloway, on the other hand, which the family of Douglas had acquired at first by the marriage of an heiress, was, of course, hereditary in the female line, and fell to be enjoyed not by the brother, but by the daughter of earl Archibald. While, therefore, James inherited the earldom of Douglas; Beatrix, his niece, became countess of Galloway. To prevent the consequences of this division of these great fiefs, James, contrary to the advice of his kindred, procuring a dispensation from the Roman Pontiff, gave his niece in marriage to his own eldest son. Not outliving long the accomplishment of this marriage, so advantageous to the aggrandizement of his own family; he died at Abercorn, at peace with the King and his governors; leaving to his son William, the eldest of seven who survived their father, a power and an opulence hardly less than royal*.

WILLIAM,

* Lindsay :—Hume, &c.

WILLIAM, the son of James Douglas, a young man, haughty, alert, and ambitious, no sooner attained to the earldom, than he began to imitate rather the arrogance of his uncle, and his cousin, than the sluggishness and submission of his father. He acted as an independent prince; permitted his vassals to commit depredations on the lands of their sovereign's faithful subjects; gave protection to many who having made themselves obnoxious to the criminal justice of the state, took refuge with him; and fomented divisions, and excited disorders among the subjects of the kingdom, by which Livingston and Crichton were exceedingly thwarted, harassed, and perplexed in the administration of the government. Instigated by Douglas, John Gormack of Athole, to deliver a robber of that district, from the hands of justice; attacked, near Perth, Ruthven, the hereditary sheriff of Perthshire, in the execution of his duty; but fortunately, was, after a desperate conflict, slain with thirty of his company, by the sheriff and his attendants. At Dunbarton-castle, Galbraith, a creature of Douglas's, first slew in a sudden contest, Semple, who had been joined with him in the custody of it; and then relying upon the earl's support against his sovereign, seized the castle for himself, and for some short time bade defiance to the royal authority. Galbraith failed not to meet the punishment which he deserved. But, while Livingston and

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Crichton,

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Crichton, were meditating, how they might best by artifice or open force, humble the pride of the sons of James Douglas, as they had cut off those of Archibald; the young earl bethought himself of employing happier means than arrogance, contumacy, and rebellion, to establish the fortunes of his house, to disappoint the malice, and to retaliate the injuries of his foes.*

He gains
James's
favour.

THE young monarch, now in the fourteenth year of his age; and in understanding, and in energy of personal character, yet more mature than in years; was sufficiently weary of the tutelary bondage in which he had been held, to be disposed to emancipate himself from the yoke of Livingston and Crichton, and to assume the reins of the government into his own hands. A parliament was summoned to assemble at Stirling. The barons thronged to do honour to their young monarch, and to contend with one another, and with his former governors, for the first place in his favour. Among the foremost was young Douglas, whose respectful attendance, submission, and supplication easily gained from the young king, the pardon of those offences by which he had exposed himself to the penalty of high treason. It was not merely pardon that Douglas sought or obtained. The splendour of his appearance, his manly form, his

* Eosdem.

his courteous manners, his skill in all the graceful exercises of youth, the respect and attachment which he professed for this young sovereign, and the aversion he eagerly expressed for all that the royal youth regarded with dislike,—soon so much endeared him to James; that Livingston and Crichton were, by his advice, removed in a great measure from their sovereign's counsels; and Douglas adding, to his own hereditary authority, the administration of that of the crown, became by far the most powerful man in the kingdom.*

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THE first use the earl of Douglas was disposed to make of this newly acquired favour with his sovereign, was, in order to punish Livingston and Crichton, whose faithful service to the crown had made them relentless and fatal enemies to his house. By his counsel, a rigorous account of their administration was immediately required from them. They had been more faithful and disinterested in their offices, than it is usual for nobles and courtiers to be, when matters of such high value, are intrusted within their power. Yet, it was not possible that, in so long an administration, and in the circumstances in which they stood at the head of affairs, there should not have some things passed which the representation of an enemy might easily exaggerate into seeming crimes of embezzlement

Seeks the
ruin of
Crichton
and Livingston.

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* Lindsay:—Hume.

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of Douglas
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and treason. Livingston and Crichton as yet governors of the castles of Stirling and Edinburgh, were now declared rebels against the king's authority; and because they refused to put themselves within the power of Douglas their enemy,—saw themselves about to be destroyed by that government which they had with infinite difficulty supported, and by the prince whom they had brought up. Extruded from their sovereign's court, they would not however patiently endure the wrongs offered them by the contrivance of their rival and enemy. That summons which called them to a judicial trial, they heard with scorn and disregard. Among their vassals, they prepared to stand upon their own defence, and to repel force by force. Douglas having procured their formal condemnation in a parliament assembled at Stirling, in which all his dependants and their enemies eagerly assisted; dispatched Forrester of Corstorphine to execute that sentence which confiscated all their goods to their sovereign's use. Crichton's castle in Mid-Lothian was by Forrester besieged, taken under a capitulation, and then razed to the ground. But, Crichton failed not to retaliate the injury, by immediately ravaging and laying waste Forrester's barony of Corstorphine, as well as Douglas's lands of Strathbrock, Abercorn, and Blacknefs. The late regent, lying under the same misfortune, made common cause with Crichton; and aided him in

his

his attempts to retaliate the injuries offered by Douglas. James Kennedy, too, bishop of St Andrew's, and nephew to the late king, gave not only his countenance, but his active support to the cause of Livingston and Crichton. The whole kingdom was for a moment divided against itself; the majority indeed adhering to the earl of Douglas and their young king; yet many being still favourable to men whose government had been so wise and energetic as that of Livingston and Crichton. At the command of Douglas, Lindsay, earl of Crawford, and Ogilvy of Innerquharie, made an inroad out of Angus into Fife, and laid waste the lands of Kennedy, but could not seize the bishop's person. Kennedy retaliated upon them with the thunder of excommunication, and the other spiritual arms of the church; a retaliation which they little heeded, and by which they were little injured. A contest between Ogilvy and Crawford's eldest son, concerning the bailiffship to the abbot of Aberbrothwick, soon after produced a combat, in which the earl of Crawford fell, and so many on both sides were slain, that this even might well seem to an ignorant and superstitious age, to be nothing else than the vengeance of heaven interposing to give effect to the curses of bishop Kennedy, and to vindicate the sacred authority of its ministers. On the western side of the kingdom, Boyd, captain of the castle of Dunbarton, treacherously

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roully flew James Stewart of Auchminto; and cruelly enticing Stewart's wife from her own house, by the fraudulent artifice of a priest, as if to meet her husband; conducted her to where she was torturingly afflicted by the sudden knowledge of his murder. The anguish of these tidings, with the thought that she was in the hands of the assassins, brought upon her the pains of premature child-birth, which added to the sorrow that wrung her heart, instantly delivered her from life. In East-Lothian, Archibald Dunbar besieged and took the castle of Hailes in East-Lothian; and cruelly put to death all whom he found within it. The Douglasses however soon retook the castle, and made Dunbar their prisoner. All these, and a thousand other mischiefs were the effects of the endeavours of Livingston and Crichton, with their friends and adherents, to withstand Douglas in his endeavours to work their ruin by the abuse of the royal authority which the partial attachment of the young king put wholly into his hands. The castle of Edinburgh which had for some time been held out by Sir William Crichton against the siege of the king and the earl of Douglas, was at last by Crichton surrendered upon the conditions of an amnesty to him, and his adherents, of all past offences,—and of Crichton's restoration to the office of chancellor, which he had held so long. This event terminated these disturbances, and restored throughout

throughout the kingdom, a temporary but gloomy and insecure tranquillity.*

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Marriage
of King
James.

JAMES now in his fifteenth year, was persuaded to court the affinity of some foreign prince, and to give a wife to his bed, to the throne a young queen. Crichton now restored to the monarch's favour, was wisely selected as a man eminently qualified to go upon an embassy of wooing for his sovereign. John bishop of Dunkeld, and Sir Nicholas Otterburn, were the chosen companions of his embassy. Margaret daughter to the duke of Guelders, and niece to the duke of Burgundy, was the lady to whom James had been taught to address the hopes and vows of his first youthful love. Crichton and his company met with no ungracious reception at the duke of Guelders's court.—But, in the mean while, the absence of Crichton left his friends almost without defence against the vengeful machinations of the earl of Douglas and his party. Crichton's wisdom and experience were a sure protection to himself; and to those who were attached to him: Livingston was far from possessing the same abilities and address. While the ruin of Livingston and some others of the party was plotted; Crichton returned from his embassy; conducting home the Flemish princess whom the duke of Guelders had willingly granted to the wishes of the young sovereign

* Lindsay, p. 32, &c :—Lesly :—Buchanan.

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sovereign of the Scots. A gallant train attended her from Flanders. James received his bride with all the fond ardour of a youthful lover. The marriage was solemnly celebrated at Edinburgh. James conferred upon this occasion, new possessions and honours upon his favourites of the House of Douglas : With Crichton he became so much more cordially reconciled as to detach him now altogether from the interests of his old friend and rival Livingston : against Livingston and the remains of the party of his old ministers, the young King then proceeded to exercise the utmost severity of offended majesty. Livingston with his eldest son, and a certain number of his confidential friends, were impeached of high treason ; condemned ; and the younger Livingston, with several of their friends, were beheaded on the scaffold. Their fall was pitied by the people ; and they were lamented as the innocent victims of the revenge of Douglas. The elder Livingston was, for a great sum of money, saved from death by the hands of the executioner ; but was sent into confinement for the rest of his days in the castle of Dumbarton*.

War with
the Eng-
lish.

JAMES now advancing to manhood, was desirous to distinguish his reign by the glory of martial exploits. An occasion soon arose ; for when the truce, which had for some time held all things tranquil

* Lindfay :—Lesly :—Buchanan :—Drummond.

quil on the borders of England,—expired; the French earnestly solicited their Scottish allies to re-
 new the war; nor did England offer any conditions sufficiently alluring to dispose the Scots rather to remain at peace. Hostilities were mutually renewed; at first with petty incursions, rather vexatious than greatly formidable; but soon with so much rising rage upon both sides,—that greater enterprizes were projected; and all the strength and fury of the Scottish nation were soon vigorously opposed to all that could be done by the military force of the northern counties of England. The English had ravaged Annandale, the Scots had more than retaliated those ravages upon Cumberland; when the English to anticipate any new enterprize by the Scots, collected an army of many thousand men, and sent this host under the command of the earl of Northumberland, John Rennington, and Magnus Redman a knight who had distinguished himself in the French wars by many acts of the hardiest and most heroic valour, to invade the western borders of Scotland from which they had been of late the most grievously annoyed by invasion. While this storm of invasion approached, the Scots indignantly prepared to meet and to dispel it. The western marches more especially, were under the wardenship of the earl of Douglas: But on him, and on his family and adherents, now depended the whole concerns of the
national

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national defence. George Douglas, therefore, earl of Ormond, and brother to the earl of Douglas, was commissioned to repulse the invaders; all the friends, dependents, and vassals of his house, joined him in arms. Wallace of Cragie, Johnstoun of Johnstoun, Maxwell of Caerlaverock, leaders of tried skill and courage, were the principal captains who mustered and conducted this army under Ormond's command. Hardly had the English advanced across the Solway, and pitched their tents at the small river of Sark, when the Scottish host were ready at no great distance, to oppose them in battle-array. Alarmed by the news of the near approach of the Scots, the English were quickly obliged to call in those ravaging parties which they had just begun to send out from their head-quarters to spoil the country. Scarcely could they make themselves ready for the fight, when the Scots impetuously advancing, were ready to attack them in their tents. The English then in haste, drew out in order of battle; their van-guard being led by Redman; Northumberland placing himself in the centre; while Rennington, with the Welshmen who made a considerable proportion of the army, were stationed in the rear. On the side of the Scots, again, the brave Wallace of Craigie, allied by collateral descent, to the ancient champion of Scottish freedom, led on the van: Ormond, the commander in chief, was at the head of

the central column : Maxwell and Johnstone, commanded in the left wing. The trumpets sounded : The battle was joined. In spite of those regulations which had been made by James the First for the accomplishment of the Scottish commonalty in the use of the bow ; the Scottish archers were still altogether unequal to the English. With the first volleys of their arrows, darts, and perhaps some musquetry, these had now almost driven the Scottish column under Wallace into disorder, before the latter could with the weapons which they wore, make any impression. But, Wallace with all the fire of his illustrious ancestor, at last impatiently calling to his companions to follow, rushed impetuously forward into close fight with the opposite host ; was followed by all the brave men under his command ; and when thus so nigh that the English could no longer empty their quivers with advantage, so powerfully employed their spears, their swords, their battle-axes, that the current of success was quickly turned against the English ; and rank was driven back upon rank—and column upon column, with the most dreadful confusion and havoc. Redman, with a chosen band, endeavoured to withstand this impression, and to break the force of the enemy, by which it was made. Terrible was then, for some moments, the struggle of the combat, over all the field : Fury in every heart, braced each soldier's frame to the most vigorous

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exertion ; here the overthrow of one opponent gave new energy to hew down others ; there wounds and defeat made the fallen bite the earth with doubly exasperated rage ; here was the struggle between two warriors, whose force and dexterity were so equally matched, that while neither was worsted, each could with difficulty make the necessary resistance ; there a rabble were fighting, fleeing, advancing, all in one confusion ; here the vanquished surrendered themselves for the sake of life, into captivity ; there the pains of death were rendered more excruciating to the dying, and while their life issued from mortal wounds, they were torn in pieces, and trampled under foot, amid the fluctuating tumult of the battle. Redman, after efforts of incredible valour, was slain ; nor did Wallace, the brave Scottish commander, to whom he was opposed, escape—nearly the same fate. But, the English were driven into general flight : And the flowing of the tide had, in the mean time, so much swollen the streams which they had to pass, that many perished in the waters as they fled ; and many were slain, while they had turned their backs to the foe, yet hesitated to plunge into an impassable current. The prisoners taken, were many ; and of these not a few were persons of rank, whose ransoms might be sufficient to enrich their captors. There was likewise taken in the English camp, much precious spoil of gold and

and silver, which was divided among the soldiery, according to the usual law of the distribution of such plunder. The principal captives were placed in custody, in the castle of Lochmaben. The victory added new splendour to the name of Douglas; and contributed to enhance that influence which was already almost all-powerful with the King and with the nation*.

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THE power, the pride, the grandeur, of the House of Douglas, were now at their loftiest height. They had ascended like him, who mounts with painful steps, and with long but still successful toil, the gently sloping declivity of a hill, even to the very summit, and then suddenly stumbling, is dashed headlong down the precipice, opposite to the side by which he made his ascent. To offend the Douglasses was, at this time, more dangerous than to rebel against their King. Many of the inferior barons, men who were yet considerably powerful and illustrious, found it necessary to court the protection of the earl of Douglas; and even voluntarily to subject themselves to all the humiliation of vassalage to him, for the sake of winning his favours, or escaping his enmity. Colvil of Ochiltree, having, about this time, slain Auchinleck of Auchinleck, a favourite adherent to the earl of Douglas;

The earl
of Douglas
goes a-
broad.

* Lessly :—Lindsay :—Drummond :—Hume's History of the Douglasses.

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Douglas ; Douglas to signalize his vengeance, laid waste to desolation, Colvill's lands ; besieged and took his castle ; put to death Colvill himself, and all who were found in the castle with him. While thus all powerful at home, Douglas became ambitious to display his grandeur to the inhabitants of distant lands. Sumptuous preparations were made ; and with an illustrious band of companions, with a numerous train of attendants, he departed to visit France and Italy. With him went the chiefs of the families of Hamilton, Grey, Salton, Seaton, Oliphant, Forbes, and many others ; so that a king could scarcely have been more royally attended upon such a journey. In France, he was honourably received and entertained by Charles the Seventh, and invested with all the honours of the duchy of Touraine, which his three predecessors in the earldom of Douglas had enjoyed. From France he proceeded to Italy and Rome. At Rome he was received with those honours which are due to princes only. The splendour of his appearance, the numbers of his train, the magnificence of his expence, every where seemed to reflect new glory upon the Scottish nation, and to represent the House of Douglas, as the pride of all that was illustrious in Scotland. The earl of Douglas and his company appeared not to the French or the Romans, a troop of needy barbarians,

ans, but a train of the most gallant knights of whom Christendom could boast*.

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BUT, at home, in the mean time, the greatness of the House of Douglas had begun to be fatally lapped. A truce had been again negotiated with the now feeble and distracted government of England, which left the Scots at peace from foreign war. Successive embassies from France, had obtained only permission for some levies of soldiers, but had not involved the Scots more deeply in its quarrel. A peace at last wrested from the English, had re-established Charles the Seventh in the possession of all the ancient dominions of the French Crown. New troubles springing up in England, began to threaten the dethronement of its monarch, and the elevation of a different family to the sovereignty. The absence of Douglas from Scotland, while the Scots stood in this posture in respect to their wonted foreign enemies and allies,—left the King at liberty to turn his cares to reduce within due limits, that power of a subject which even when not adverse to the Crown, might still seem to overtop and overshadow it. James had now grown up to manhood. His natural abilities had, fortunately, not been cramped to fatuity under the tuition of Crichton. He was not destitute of the magnanimous ambition becoming a monarch;

* Hume's History of the Douglasses, &c.

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narch; he had gradually learned amid the contests of his nobles and ministers, to discern the true interests and duties of his royal station. The presence of the earl of Douglas, the ascendancy which his personal qualities had acquired over the monarch's mind, the extensive and deeply rooted influence which he possessed with the nation,—had all together drawn James to make the sovereign authority, for a time, the instrument of his vassal's ambition. But James now awaking, as from a dream, began to discern that he had advanced Douglas too high; that he had gratified him too far; that he had unwisely exalted him to a pre-eminence from which he might blast his own greatness; that the policy of Livingston whom he had put to death, of Crichton whom he had degraded, was far more true to the Crown when they endeavoured to destroy, than his own policy when he had so diligently built up—the grandeur of the Douglasses. Enow were near to suggest such reflections as these to the young monarch's mind, or to encourage them when they had been once suggested, and inflame suspicion to uncontrollable rage. Douglas of Balveny, who had been left to superintend and direct with full authority, all the earl's affairs during his own absence, imprudently thwarted the wishes of the King, and slighted his authority; and at the instigation of the earls of Moray and Ormond, the earl of Douglas's brothers, abused all the

the power of the earldom to irritate the King, and set the royal authority at defiance. At last, Balveny was summoned to appear before the parliament, and make answer to certain charges which had been formally preferred against the earl, whose procurator he was. Balveny contemptuously refused obedience to the summons. James gave orders; and he was brought in by force. His submission, made, when he had no longer any alternative between submission and punishment, was accepted in good part by the King, still reluctant to raise the arm of justice or vengeance against his late favourite. No sooner, however, had Balveny thus escaped out of the hands of the offended monarch, than he scornfully violated all the engagements he had so lately made; refused to redress those wrongs, on account of which the monarch's wrath had been excited against him; and acted as if faithlessness and rebellion had been among the tasks imposed upon him by his absent lord. James then despatched the earl of Orkney, now his chancellor, to confiscate to his use the rents of the earl of Douglas's estates in Galloway and Clydesdale: But, Orkney was slighted, disobeyed, and withheld by the vassals of the House of Douglas, from carrying into execution, those orders of which he had come, the minister. Provoked beyond measure by this continued insolence, James then, for the last time, summoned by a herald,

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rald, all the adherents of Douglas to make immediate submission to the laws; and without farther delay mustering a powerful military force; marched into those western counties in which the authority of Douglas was respected, but that of his sovereign scorned. Even the presence of the monarch could not there command obedience, till James took by siege the fortalices and castles; placed a new garrison in the castle of Lochmaben; levelled that of Douglas to the ground; from the lands and goods of the humbled rebels, made compensation to those who had suffered by their violence and rapine; and inflicted such punishments, as justice tempered with relenting mercy, seemed to award against their crimes. Earl William received tidings of these transactions in Scotland, while he with his attendants and companions, were still enjoying the splendid festivity of Rome, and ostentatiously displaying their wealth and magnificence in that capital of the western world. At the news of events so unfavourable, and so unexpected, he was alarmed, confounded, and perplexed; as were likewise all those who were with him. They hastily bade adieu to Rome; and ashamed as if all Europe knew them to be outlaws, stole home, almost singly, and by different ways; some through France, some through Flanders; the earl himself by the way of England. But James was not yet
relentlessly

relentlessly enraged against the earl. The brother of the earl of Douglas, having come, to soothe the King's anger before William himself should arrive; was not ungraciously received by the monarch, and was assured, that if the earl would only restrain the disorders of his vassals and dependents, he should be not less welcome to his sovereign than he had formerly been. The earl himself arriving soon after, seemed, at first, to resume his former ascendancy over James's mind, and was soon nominated his lieutenant or justiciary for the whole kingdom. But, Douglas, would no longer repose confidence in the monarch's favour. He saw that James was not the mere shadow of a prince, destined to be the tool of ministers and nobles, but a young monarch of a keen, vigorous, and comprehensive mind, qualified to govern for himself. He saw that James's jealousy was now actively awake against him; and dreaded that it might never more be effectually laid asleep. His brothers, too, and all his kindred seem to have striven to irritate his pride and resentment against his sovereign. Not long, therefore, after his return, he repaired without the monarch's leave into England, and roused anew that resentment which had been so lately appeased,—by the suspicion of a treasonable negotiation with the English King. Again, however, the earl submissively returned to James's court, and without great difficulty pacified

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the anger of his former friend, who had not yet altogether ceased to regard him with somewhat of a friend's partiality. James, however, would not at this time so wholly reconcile himself to Douglas, as not to divest him of his offices about court, and to dismiss him to retirement and privacy within his own domains*.

Feud between the
Douglases
and Crichtons.

THESE events were proceeding fast in an unbroken chain, to that awful catastrophe, in which they were soon to close. Sir William Crichton, the ancient and faithful servant of the crown, succeeded to a part of that favour with James, and to some of those offices which Douglas had lost. Crichton did not disguise his enmity to the earl. To his former offences against the house of Douglas, he was now continually adding others which could not be pardoned. Resolving to rid himself for ever of such an enemy, Douglas, with a party of his ordinary followers, casting off all respect for the King's peace, lay in wait for Crichton between his own castle and the town of Edinburgh. Going in the morning, and with few attendants, from Crichton-castle to Edinburgh, Crichton found himself suddenly assaulted by a troop of armed men who arose against him, out of ambush. Crichton himself would have fled; but, his son, a gallant youth,

* Lesly:—Lindsay:—Hume's History of the Douglases, &c.

youth, and others who accompanied him, represented that fearful flight would be vain, and intreated him to oppose those treacherous assailants with his wonted manhood. The old man and his companions hence taking courage, made so vigorous a resistance, that some of their assailants fell, and the rest could not prevent him from making his retreat in safety and with honour to Crichton-castle. The Crichtons would not brook this villainous assault unpunished. They quickly assembled their vassals and friends, and coming suddenly upon the earl of Douglas while he remained at Edinburgh, compelled him to leave that town in the disgrace of defeat, and not without incurring extreme danger as to his personal safety. Crichton seemed to have acted not without the king's encouragement; and the danger and disgrace appeared therefore to Douglas more alarming than if they had proceeded merely from an angry fellow-subject*.

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THE dye was now cast. Neither Douglas nor his sovereign could longer steadily and cordially believe the safety of the other to be consistent with his own. Yet each feared to begin a contest of which the event could not but appear uncertain. Douglas, already connected by the ties of blood and by other strong relations with most of the principal nobility, now sought to strengthen himself

* Lindsay, p. 58.

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self farther by a league offensive and defensive, against all enemies whomsoever, with the earls of Ormond, Moray, Crawford, and Ross. The league was solemnly concluded : Its chiefs were masters of the greater part of the kingdom : And they might all now deem it safe for every one of them to set their sovereign at defiance.—This was throughout Europe, the critical æra of a great revolution in the feudal system. And in Scotland, it might seem probable, that the nobles might now either become independent princes, like those of Germany and Italy ; or might rather reject a king from reigning over them, and become an aristocratical republic ; or if by any fortune which could scarcely be feared or expected, their king should prevail against them, might be reduced to the abject state of the trembling slaves of an uncontrollable despotism. But, the kingdom, the field of the contest, was too narrow to afford room for the monarch to enslave one part of his subjects, while another should carelessly view their fate, or even become the ministers of their ruin : It was too narrow to afford room for its division into separate principalities :—They seem to have been causes less general and permanent in their operation which we shall see to have at this period interposed to prevent Scotland from becoming a sort of elective monarchy, or an aristocratical republic.—Douglas now armed at all points against his sovereign's wrath by the league into which he

had

had entered ; opposed the execution of the laws by the king's officers, yet more openly and insolently than he had done before. Whosoever among the inferior barons preferred their allegiance to James, before that attachment and dependence which Douglas claimed from them, were pursued, if within the sphere of his power, with exterminating fury. Herries of Terreagles, one of the most loyal subjects of the crown, having often in vain asked compensation from Douglas for the rapine with which the plundering borderers of Annandale were accustomed to waste his lands ; at last, with a band of his vassals, made an inroad into Annandale, to retaliate the evils he had suffered, and if possible to bring away booty which might compensate his losses ; but fell himself in the attempt, and left his kindred and vassals exposed to that relentless rage with which the house of Douglas and its dependents were wont to pursue their foes. Maclellan of Bombie, a vassal of the crown, whose possessions lay in the midst of Douglas's lands in Galloway, refused however to attach himself to the earl, and amidst the general swerving of all around him from their duty, remained, almost alone, faithful to the interests of his king. In the eyes of Douglas, this conduct in a small man, such as Maclellan, was an unpardonable crime. He besieged him in his castle of Bombie, took and destroyed it, and carrying Maclellan himself prisoner to the contiguous castle of *Thrieve* ; there

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Cruelty of
Douglas to
Maclellan
of Bombie.

there threw him into close and afflictive confinement. At the news of Maclellan's misfortune, his uncle, Sir Patrick Gray, obtained the king's letter to Douglas, begging Maclellan's deliverance; and Gray himself went as the bearer of the letter. After Gray had arrived at the castle, and presented the king's letter to Douglas; Maclellan was brought forth and beheaded; and it was with difficulty, that Gray, uttering some warm expressions of resentment for the cruel death of his nephew, and for the insult offered to himself, the messenger of his sovereign; could make his escape from the keen pursuit of Douglas's haughty anger. The indignation with which James received the news of such acts as these perpetrated by Douglas, or under his authority; determined him at length to have recourse to the profound and artful policy of his father, or if necessity should require, even to the darker and more bloody counsels of Crichton, for the purpose of ridding himself of the opposition of a subject so powerful and so contemptuously disobedient*.

EARL Douglas was therefore not imperiously summoned, but courteously invited to attend his sovereign in a parliament at Stirling. Letters of pardon and safe-conduct under the king's great seal, were, at his earnest request, granted, to re-
move

* Lindsay, p. 61, 62, 63, 64, &c.

move any apprehensions which he might conceive of danger likely to arise to him from putting himself into the hands of a king whom he had offended. Crichton was sent away from the court, lest his presence should lead the earl to dread the same fate by which his cousins had been before cut off. Douglas, thus assured, that he might without fear or danger, appear in the king's presence, repaired with a princely train of attendants to Stirling. The earl himself was here received into the king's presence in the castle, and entertained at the monarch's table with the most gracious courtesy. But, whether James had already taken his final resolution, or whether he began to hope that Douglas's heart was now opened to sentiments of loyalty, and even of reviving friendship; after the entertainment he conducted the earl into his closet; and, with hardly any one to witness what passed between them, began to expostulate with him gently, yet earnestly, concerning those late measures of his, by which his sovereign's jealousy had been unavoidably excited. The league especially, the league in which he had combined with so many other barons to give the law to their country and their king, was the subject of James's most earnest expostulations. While the monarch pressed his potent vassal to abjure this unlawful combination; while Douglas hesitated, and strove to escape from the point, and at last positively refused to yield to his sovereign's demand;

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Douglas
invited
to court
and slain.

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demand; while the conversation waxed warm, then angry and scarcely respectful, then vehement, sharp, and sarcastic above the decencies of respect, at last on both sides furiously passionate;—James suddenly drew a dagger, and swearing, that, since Douglas would not himself dissolve the bond into which he had disloyally entered,—*this at least should*,—plunged the weapon with impatient rage into the earl's bosom. They who waited in the anti-chamber rushed instantly in. The blow which the royal hand had struck, was seconded and confirmed by a multitude of others; and the haughty Douglas lay a bleeding, lifeless, mangled corpse*.

Rebellious
conduct of
the earl's
followers.

THE earl's company who in the mean time, in the town, awaited his return, were quickly apprized of his slaughter. Their first resentments was furious and frantic. James, the second brother of the earl, who had been before considered as heir-apparent to the earldom, was immediately called to command, in his brother's stead. Ormond, and Moray, his other brothers, were at the same time present in Stirling, as was James Hamilton of Cadzow, with others of the principal adherents to the family of Douglas. Their first acts of revenge were—To attempt in vain to take the castle by assault, to burn with every circumstance of contemptuous indignation, that letter of safe-conduct by

2

which

* Lindsay :—Lesly :—Buchanan :—Drummond.

which the earl had been enticed within his sovereign's power, to execrate James himself as false and treacherous, to burn the town, and to ravage the surrounding country. All the domains of the monarch, were impetuously desolated in their first fury; all the lands and houses of his favourite servants, which lay in those counties, underwent the same fate; all who had refused to espouse the interests of the house of Douglas, even although not passionately attached to their sovereign, were treated as if they had been accomplices in the slaughter of earl William. But, of all their adversaries, there was none against whom their indignation more furiously raged, than against Douglas of Dalkeith, a descendant from that branch of the family of Douglas, to which had belonged the famous knight of Liddesdale. They spoiled his lands, and laid siege to his castle, but after long delay before it, were obliged to depart without having accomplished their purpose. The flame soon spread far and wide; and before any effectual measures could be taken by James to resist its fury, almost all the districts of his kingdom were wasted by its destructive activity. All the members of the league took arms; and the means which the monarch had incautiously employed to deliver himself from the opposition of a too powerful subject, seemed to be about to precipitate him from his throne*.

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YET,

* Eosdem quos supra.

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Civil war.

YET, James was not destitute of counsellors to assist him with advice, or of warriors to fight his battles. Crichton still lived, was still faithful to his sovereign, was still the inveterate foe of the House of Douglas. James Kennedy, bishop of Saint Andrew's, son to the sister of James's father, who had learned the arts of policy in the school of James the First, who had attached himself to the party of Crichton, who was zealously loyal to his sovereign, who was to the Douglasses, still a foe; in this season of danger and difficulty, came among the foremost to aid the monarch with his advice and active assistance. Others also crowded in, to gratify old latent grudges against the Douglasses, to share the spoils of those forfeitures which could not fail to take place, to acquire a right to the honours of a victory which they fancied that their young sovereign could not fail to gain. In a parliament which assembled at Edinburgh, the earl of Douglas and many of his vassals were summoned to appear, under pain of forfeiture, and undergo a trial by their peers for the crimes with which they were charged; while others of them were declared to be already outlaws. Every effort was made to assemble a force which might be adequate to give efficacy to the parliament's decrees. From all quarters of the kingdom, those who delayed, were summoned to hasten to their sovereign's aid: In every part they were

were enjoined to resist and pursue the partizans of the Douglasses, as outlaws and rebels*.

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FROM the north, in the mean time, the earl of Huntley, although encompassed within his own territories, on the one hand by the earl of Moray, on the other hand by the earl of Crawford; was nevertheless fast hastening southward to his sovereign's aid. On his march, he was opposed near Brechin by Crawford, the relation and partizan of Douglas, with an army not less numerous than his own. They engaged with doubtful hopes, in a battle in which the prospect of success might at first seem—at least as fair for Crawford as for Huntley: But, Colofs of Bonnymoon, with three hundred men armed with battle-axes, retiring unexpectedly from the station in which he had been placed in Crawford's battle-array; the ranks of that army were consequently broken, and driven into general flight; and a fierce pursuit ensued, in which prodigious numbers of them were slain. Huntley, although thus victorious, was now however unable to proceed to the aid of the King: He returned back to Strathbogie; and there was sufficiently occupied, for a considerable time, in resisting and retaliating the inroads of the earl of Moray. The news of Huntley's success served to give new courage and better hopes to the King's adherents in the south; and it could not but appear to augur farther evils to Douglas

* Eisdem.

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Douglas and his confederates, although it could not allay or divert their rage. For some time, while Douglas still feared to meet his sovereign in a pitched battle; and while James found himself still too weak in military force, to pursue the rebels to the last extremity; the contest was carried on solely by mutual menaces and ravages committed—by the Douglasses on the domains of the Crown, and on the lands of the King's faithful subjects,—by the King and servants upon the possessions of the House of Douglas, in the forest of Selkirk, in Annandale, and in Galloway. In vain did some of the dearest friends of the earl advise him to cast himself upon his sovereign's mercy: He vowed, never to obey, never to trust himself within the power of—the murderer of his brother. Crawford came at length in humble guise to intreat the pity and forgiveness of his King, and by the benevolent interposition of bishop Kennedy, fortunately obtained it. But Douglas himself still governed by implacable resentment, chose rather to solicit the aid of England; and notwithstanding the defection of some of his former followers, determined to proceed to the last extremities against his King. James not less active to support his authority than was Douglas to avenge the pretended wrongs of his family; now laid siege to the castle of Abercorn, one of the principal and the best fortified seats belonging to the rebel earl. To raise this
siege,

siege, Douglas assembled an army consisting of all the military force which his vassals and adherents could furnish. The King's army was numerous; and even the earl of Angus, the near relation of Douglas, had been persuaded to desert the chieftain of his clan, and adhere to his sovereign. But, the army of Douglas was still more numerous, and was believed to amount to no fewer than forty thousand men. James Kennedy, however, approved himself still a faithful counsellor to his sovereign; and the King himself now advanced to the full years of manhood, wanted neither courage, nor the resources of mental firmness and discernment, to enable him to meet the awfully dangerous exigencies of this occasion. New reinforcements came in, to augment their sovereign's army; but its numbers were still exceeded by those which followed Douglas. The two armies were now encamped within an inconsiderable distance of one another: Douglas lay on the south-side of the river Carron: The King's army was so disposed as to cover the siege of the castle of Abercorn. The risk on the two sides was unequal; James could not be vanquished without losing probably both his life and his crown: Douglas, although defeated, might still escape from his sovereign's vengeance; and might yet renew the war. On both sides, all was eager resentment and bold courage; but on the side of Douglas, whose followers risked their all in opposition to their duty,

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duty, there was more of tumultuous insubordination, less of ready and respectful obedience. To increase this disposition in the army of his adversary, James, by his heralds, first commanded Douglas and his followers to lay down their arms, and depart every one to his own home, under the pain of suffering the death and the forfeiture of traitors; and then proclaimed an amnesty of all past offences to such as should obey these commands, and forsake the rebellious banners. Douglas himself, and many of his followers, began to hesitate and waver in their purpose of battle, amidst emotions of remorse, dismay, and a sort of reluctance to proceed to the last extremities of disloyalty. Hamilton of Cadyow marked the wavering spirits of Douglas's troops, and pressed the earl to give battle to his sovereign's forces, before this growing irresolution should dissolve and disperse his army. Douglas receiving the suggestions of his friend rather as an imputation against his own courage and prudence, than as a counsel which deserved to be followed without a moment's delay; slightly rejected them. Hamilton, persuaded that the critical hour was now past, in which the fortune of the House of Douglas, might possibly have over-balanced that of the Stewarts; determined at least to take care of his own safety. With this determination, he, that night, retired from the tents of Douglas, and passed over with all his vassals,

Final ruin
of the
House of
Douglas.

vassals, to the army of the King. His example SECT. I.
CHAP. II. was instantly followed by almost all the rest of Douglas's company. By the morning, there remained with the earl not an hundred armed men, A. D.
1437-60. beside those of his own house. James was thus without battle and without bloodshed, decisively victorious. Douglas fled to Annandale, with his brothers, the earls of Moray and Ormond. He was pursued thither by a body of forces under the command of the earl of Angus, who, although nearly related to the House of Douglas, was yet, by his mother, more nearly related to the King, and was uterine brother to bishop Kennedy. Angus and the King's forces prevailed. The earl of Moray was slain; the earl of Ormond made prisoner; and the earl of Douglas himself driven to provide for his safety by flight into England.—Some years after, Douglas returning, brought Piercy earl of Northumberland, upon an expedition against his country. This expedition was also easily defeated. Douglas was made prisoner; and so contemptible was then the man who had once made his sovereign tremble, that, although the earl of Ormond had been put to death as a traitor; James contented himself with sending the forfeited and captive earl of Douglas to spend his latter years in monkish confinement in the abbey of Lindores.—The vast estates of the earldom of Douglas were all forfeited to the Crown. Angus, the brother of
bishop

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bishop Kennedy, obtained from the King the barony of Douglas, and succeeded to the enjoyment of Douglas's ancient credit with his sovereign. Hamilton of Cadyow, after a while of confinement in the castle of Roslin, and in the custody of the earl of Orkney; was, through Angus's intercession, at last restored to his sovereign's favour. In Annandale and Galloway, the barons Johnstone and Maxwell, were enriched by a liberal distribution from their sovereign, of the spoils of the forfeited Douglas*.

So FALL the mighty ! It is impossible to contemplate without a sigh over the vicissitudes of human things, an instance so conspicuous, as this overthrow of the house of Douglas, of the instability of all mortal greatness, however firmly it may appear to be rooted on its basis ! For the space of more than one hundred and fifty years, the House of Douglas had continued to spring up, to exalt itself, to spread out,—to push, as it were the roots of its grandeur to the centre of the earth, while the towering elevation of its summit seemed to reach the heavens. It stood like a colossal form besriding the confines of the kingdom from one side of the island to the other : And with a flaming, blood-stained sword, now dealing destruction upon the heads of all who presumed to overleap the barrier which it stood to guard ; now turning with somewhat of cannibal fury, to enchain

* Lindsay, P. 62. to 89.—Lesly :—Buchanan, &c.

chain and to devour some of those whom it protected from other violence than its own. Its greatness had grown collaterally with that of the Bruces and the Stewarts. Its honours and possessions had been the rewards of invariable loyalty and patriotism. For the better part of two hundred years, in a numerous series of earls, there had been no chief of the house of Douglas who was not brave, loyal, and possessed of considerable mental talents for both policy and war. James, the companion of Bruce; James who fell in the battle of Otterburn; Archibald who was made prisoner in that of Homildon, who fought in that of Shrewsbury, who in reward of the valour with which he himself and his son afterwards fought in the French wars, obtained the dutchy of Touraine: his father too, Archibald the Grim earl of Douglas and Galloway; appear to have been among the most distinguished warriors and statesmen that any age or nation could produce. While they had travelled on in the paths of patriotism and loyalty, they continued to flourish. It was in their first efforts of rebellion, and at a time when they seemed now greater than they had ever been before, that their greatness was thus fatally blasted, and they fell—never to be restored.

OF that confederacy which James had in vain attempted to dissolve by gentler measures, none

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now

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Transac-
tions re-
lating to
the earl
of Ross.

now remained but the earl of Ross. Ross dreading the same fate by which his confederates had been destroyed or humbled, seems to have for a time given way in Ross-shire, to the royal authority ; but to have taken shelter in the isles which were his principality, and there to have strengthened himself against the return of times which might prove more favourable to his ambitious rebellion. His wife, glad to escape from his tyranny, threw herself at James's feet, begging his protection ; was graciously received, and honourably provided for, by him. Beatrice, too, the daughter of earl Archibald, the sister of William and David who were slain in Edinburgh-castle ; the wife first of her cousin William Douglas,—and afterwards by compulsion, and to prevent the division of the estates of the earldom, also of his brother James ; had already deserted the fallen fortunes of her husband, had obtained out of his forfeiture, the lordship of Balveny, and had been given in marriage to the earl of Athole, uterine brother to the King. Throughout his dominions, James now executed justice, and made the authority of the crown and of the laws to be feared and obeyed. Other great families were rising by the favour of the prince, and by the persevering activity of their own avarice and ambition, to that dangerous elevation from which the Douglasses had been hurled. But, none were now sufficiently potent to excite against themselves

themselves their sovereign's jealousy, or to flight his commands with impunity. Bishop Kennedy, a man wife and popular, was now James's favourite counsellor, and gave such advice, as tended eminently to promote the prosperity of his sovereign's reign. James himself went on to display new talents for government, which promised, in due time, to rank him among the greatest monarchs who had occupied the Scottish throne*.

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IN the mean time, England was, still more than Scotland, wasted and distracted by domestic dissensions. Henry the Sixth had at length assumed the reigns of the government into his own feeble hands. But, the weakness of his personal character, the disasters of his reign, and the dubious title of his House to the Crown, encouraged the duke of York, who was like him descended from Edward the Third, but by a line of descent which conveyed to him a prior title to the crown ;—to take up arms against the sovereign whom he had, for a while, obeyed, and to appeal to the sword for a decision in regard to their respective pretensions. The civil wars thus kindled up, were destined to waste England for a series of years ; to prove fatal both to York and to King Henry ; at last to fix the Crown, for some short time, on the head of the son of York ; and to distract all England for a while, with such

* Lindsay :—Lesly :—Buchanan :—Drummond, &c.

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
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such cruel intestine wars, that the English should have little leisure, during this period, to disturb their neighbours either in Scotland or upon the Continent*.

Siege of
Rox-
burgh-
castle;
and death
of King
James the
Second.

BUT, in the beginning of this contention, Henry's queen and ministers earnestly sought aid from the King of Scotland, whose character distinguished by the overthrow of the Douglasses, was now held in esteem among foreign nations. James, willing to signalize his reign by some illustrious deeds in war, readily agreed to invade the northern frontier of England; while Henry and his friends and followers should, in its southern parts, occupy the greater part of all the military force which York could be able to raise. In compensation for these services, James was to be permitted to retain in perpetual possession, all those ancient domains of his Crown, which he should, in this warfare, conquer from the partizans of York. With high hopes, therefore, he summoned his military vassals to attend him in arms; and after some short delay marched to lay siege to the castle and town of Roxburgh. The town was quickly taken. While the siege of the castle was prolonged, the party of York having already triumphed in England, and got the king into their hands, sent, in Henry's name, to request James to desist from hostilities against

* Hollinshed, &c.

against a kingdom which was now wholly theirs. SECT. I.
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 But, James would not lay down his arms without 
 having obtained some compensation for taking A. D.
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 them up; nor desert the cause of queen Margaret
 and her children. He persisted in the siege; and
 had hopes of being speedily master of his castle.
 His barons continued still to come in with their
 forces to support his enterprize; the earl of Ross
 came to make amends for his late rebellion; and
 the earl of Huntley, to enhance by new services
 the merits of those important services which he
 had before performed. James himself, was conti-
 nually active, went about every where, directed
 every measure in the attack, and delighted to watch
 with what effect the artillery was, from time to
 time, charged and discharged, against the walls.
 But, while, amid this intrepid and unwearied acti-
 vity, he stood too nigh to one of the cannons when
 it was discharged; the piece was suddenly burst
 into pieces; and one of the fragments falling upon
 James's thigh, wounded him so severely, that he di-
 ed almost upon the spot. Mary, his queen, animated
 with a heroism of spirit, scarcely inferior to that of
 the unfortunate Margaret, of England; no sooner
 received the tidings of his husband's death, than,
 instead of bewailing his fall with womanish lamen-
 tation, she hastened with her eldest son to the
 camp; and urging the siege but the more earnestly
 and impetuously, on account of her husband's
 death,

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Character  
of King  
James the  
Second.

death, soon took the castle, and indignantly razed it to the ground\*.

THUS perished James the Second, in the month of August, in the year one thousand four hundred and sixty, the thirtieth year of his age, the twenty-fourth of his reign. Rarely have princes left upon the throne, to the tuition of governors and ministers, at that almost infant-age at which James succeeded his father,—received an education fitted to qualify them for doing honour to royalty. In order to retain the authority intrusted with them, the regents and ministers of boy-sovereigns, have for the most part, endeavoured either to destroy the talents of their royal wards, by diverting them to studies and pursuits, innocent perhaps, but altogether remote from the practice of government and of life; or have yet more fatally blasted their usefulness, by wickedly exciting and encouraging in them those youthful appetites and propensities which soon hurry the soul into habits of licentious pleasure, in which all its powers of thought are quickly enervated and stifled; all its sentiments of native generosity are fast perverted; and nought is left but a brutish stupidity, liable indeed to be sometimes enlivened by the furies of caprice, cruelty, and licentious desire. But, Crichton, Livingston, and Queen Jane, approved themselves upright guardians

\* Eosdem quos supra.

guardians and instructors of James's youth, by forming him to the actual business of government, by neither plunging him into vicious indulgence, nor turning him to idle and useless pursuits. His understanding seems to have been informed by Crichton, with nearly those same principles and views of policy, which had guided the government of his father's reign; and which Crichton had partly learned from James the First, and in part concerted with him. In policy, James, as far as can be judged from his conduct during the few years he survived, after attaining the maturity of manhood,—appears to have been not at all unequal to his father. In science, in learning, in those elegant arts, which conferred so much grace and lustre upon the character of James the First; his son appears indeed to have been wholly unaccomplished. In generosity of nature, James the Second excelled his father. The latter was not incapable of political cruelty. He could hide and cherish resentment in his bosom,—then wreak and gratify it after it seemed to have been long extinguished; and to enrich the Crown, he could grasp with somewhat of guilty avarice, at the possessions of his vassals. To all these vicious dispositions, James the Second seems to have been altogether a stranger. The slaughter of Douglas was, most probably, an act of sudden passion; and it may be certainly inferred from the whole tenor of James's previous

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previous and subsequent life, that in perpetrating this deed, and in the whole transactions by which the overthrow of the House of Douglas was accomplished, he did great violence to the benignity and magnanimous generosity of his nature. In taking part with the queen of Henry the Sixth, he joined both policy and generosity. The Beauforts, the kindred of his mother, were of that party : It seemed to be the duty of one monarch to assist another against rebellious subjects. It was the part of a generous and gallant King to listen to the supplication of a woman and a queen, and to espouse her cause. Had James the Second survived in the full vigour of his talents, to the ordinary term of human life, it is highly probable that he would have been distinguished as one of the greatest monarchs who have ever swayed a sceptre. A fiery mark upon his cheek, procured to him the denomination of *James with the fiery face*. So universally was he esteemed and beloved among his subjects, that they lamented his death, rather with the tender, heart-felt sorrow of a family suddenly bereft of its father, than with the mourning more formal than sincere, of subjects for the decease of a King.

JAMES left by his queen, Mary, three sons, James, Alexander, and John ; two daughters, Mary and Cecilia\*.

CHAP-

\* Crawford's History of the Stewarts, P. 39.



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CHAPTER III.

*Reign of JAMES the THIRD.*

**R**OXBURGH-CASTLE had not yet been taken and razed to the ground when, James, the eldest son of the deceased monarch, was, by the general consent of the nobles and commons assembled at the siege, crowned King in his father's stead, at the contiguous abbey of Kelso. From the demolition of that castle, while one part of the army conducted their young King homewards, to Edinburgh; another division pursued their success into Northumberland, took Werk-castle, and levelled it also to the ground. Before they could push their hostilities farther, ambassadors from the party of York, now victorious over that of Lancaster, came to proffer peace upon conditions so advantageous; that the Scots were induced by the counsels of bishop Kennedy, to agree to a truce with England for fifteen years; a truce that seemed no less desirable to the Scots, whose King would not sooner attain the period of full majority, than to the English, whose government was so distracted by the calamities of civil war\*.

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\* Lindsay :—Lesly :—Buchanan :—Hollinshed, &c.

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Compe-  
tition for  
the regen-  
cy.

THE first concern of the nation after the coronation of the young King, and the return of the barons from the expedition against the English, was, to regulate, by parliamentary authority, the administration of the government during their young sovereign's minority; and to confide into fit hands, the tuition and education of the prince himself. Mary, his mother, when she flew with such eager activity to the camp, had been actuated not less by the desire of securing to herself, the regency of the kingdom, than by zeal to accomplish her husband's measures, and to avenge his death. A woman of her spirit and address, could not fail to command the adherence of a party among the courtiers and other nobles. But, on the other hand, James Kennedy, and his uterine brother, George earl of Angus, who had been for several years, the most confidential counsellors of the late King, and whose rank and possessions gave them powerful influence among their fellow-subjects; were naturally led to make pretensions to the administration during young James's minority, with which the regency of a woman of Margaret's active talents, could not be at all compatible. The queen-dowager would not easily forego the hopes she had conceived, and the ambitious wishes which she had avowed: her party hoping to govern in her name, if she should be appointed to the regency, strenuously supported her cause, amid the deliberations of the

the parliament. Kennedy, Angus, and all their friends, earnestly withstood the proposition. The two parties were so equally counterbalanced, that neither could prevail. At last the wisdom, the virtue, of Kennedy, suggested and effected a compromise, by which the regency of the kingdom and the tuition of the young King, were withheld alike from the queen-dowager on the one hand, and from Kennedy and Angus on the other. To gratify both parties, William Graham and Robert Boyd, from among the friends of the queen, with John Kennedy of Cassilis, and Robert earl of Orkney of the party of Angus and bishop Kennedy, were nominated jointly to the administration of the government and the tuition of the King. To them were added the bishops of Glasgow and Dunkeld, to fill up the council. In the hands of the queen were left the tuition and education of all her younger children. The earl of Angus obtained the wardenship of the English marches. James Kennedy, although in no official situation near his young sovereign, retained, in truth, under this arrangement, the principal authority of the government. The queen, unfortunately, thus disappointed in the views of her ambition, fell away from that exalted propriety of conduct, which could alone become a lady of her high rank and talents, the widow of such a prince as James the Second, the mother of an infant-family. Remembering the connubial endearments

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endearments of her wedded life; yet overlooking the young Scottish nobility, of whom the most gallant and handsome, would no doubt have been proud to become the husband of her widowhood; she dishonoured herself in the eyes of the whole nation, by an adulterous commerce with Adam Hepburn of Hailes, a man who was, before, the husband of another woman. Awakening quickly to a poignant sense of the disgrace she had incurred, and afflicted in heart by the stings at once of disappointed ambition, and of criminal love, she died in the year one thousand four hundred and sixty-three; and was buried in the Trinity-College at Edinburgh, which she had herself founded after her husband's death. Her death, while her children were still in infancy, would no doubt have been sincerely deplored, had she not outlived her modesty, and her good fame\*.

Support  
granted to  
the king of  
England.

In the mean time the unfortunate Henry the Sixth of England, with his heroic Queen, Margaret, were again compelled to take refuge in Scotland. Their distresses and ejection out of their own kingdom, drove them to solicit the aid of the Scottish rulers, by the most humble supplications, and the most liberal offers of reward. Berwick was to be surrendered into the hands of the Scots: The young prince, the only son of Henry and Margaret was to be betrothed in marriage to the sister of

\* Lindsay :—Buchanan :—Lesly, &c.

of James: To the earl of Angus, the warden of the marches, was to be granted, with ducal immunities and honours, an ample territory in the north of England. Berwick was surrendered: And Queen Margaret failed from Scotland to Flanders, to solicit additional aid, with which she might from Scotland, make a new attempt to enter England, and recover the throne from which she with her husband, had been expelled. With difficulty, she obtained from Lewis the Eleventh of France, who had now succeeded to his father, Charles the Seventh, a small body of troops, which at first made some impresson in the north of England; burning several villages, and winning some castles. The Scots favoured their attempts; but, as it should seem, did not yet openly take part in the hostilities which they committed,—in violation of the truce so lately concluded with the party of the house of York. Edward of York in the mean time came northward with a powerful force, to repulse whatever invasion might seem to threaten the security of his reign from this quarter. While Brissac, the French captain, lay in the castle of Alnwick, with a part of his small force; he was suddenly encompassed by the forces of Edward, so as to render his escape impossible; and it was equally impossible for him to resist a siege. In these circumstances, the only hopes of the Frenchmen and of the king in whose cause they here fought, depended upon the speedy interposition

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position of the Scots. Angus, by permission of the government, quickly assembling a force of ten thousand men, all mounted on horseback, and conducting a number of horses sufficient to bear away all the Frenchmen who were shut up in Alnwick-castle; marched in haste to Alnwick; there drew his forces in battle-array over-against the English; and sent a detachment with the horses which had been for this purpose brought, to receive the French out by a postern-gate from the castle. The English in battle-array witnessed this bold and provoking enterprize. But, because the truce with Scotland had not yet been formally violated, and because it was inconvenient for Edward to provoke its actual violation; the earl of Warwick their commander chose rather to suffer Angus to carry the Frenchmen thus away uninjured,—than by actually attacking his army, to risk perhaps a present defeat, and a long train of subsequent hostilities from the Scots, whose aid effectually granted, might yet give certain victory to Henry and Margaret. The Frenchmen were delivered out of danger by the generous intrepidity of their monarch's constant allies: But, this could do little to restore the fallen fortunes of the house of Lancaster: Margaret and Henry saw their last hopes disappointed: And the representative of the house of York seemed to be now securely established upon the English throne. For the Scots, it was  
however

however no small matter, to have, even in the present situation of their government, so far availed themselves of the troubles of England, as to have extended their frontier to its ordinary, ancient limits. For their honour it was sufficient to have received and entertained with generous hospitality, a King and Queen driven from sovereignty into wretched exile\*.

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But, it was not possible that the administration made up of so many discordant parts, should long continue to cohere and to act with unity of direction and effect. The Boyds soon became the favourites of the young King, whose puerile age was easily disgusted by the austerity of old men like the Kennedies, and by that rigorous discipline of education to which they earnestly strove to confine him. While the Kennedies interested themselves solely to promote the welfare of the state, and to instruct their young sovereign in all those arts and that knowledge which they themselves esteemed the most important; the Boyds, on the other hand endeavoured to recommend themselves by those compliances which were the best fitted to win the affections of a boy. The opposition of passions, interests, and political views rose continually higher between the two parties. Feeling themselves every day more secure in the favour of their royal pupil; and being in the vigour of their strength and

Prevalence of  
the Boyds  
at court.

\* Hollinshed :—Lesly :—Lindsay :—Buchanan.

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and mental faculties ; the Boyds proceeded to treat the authority and admonitions of the Kennedies with insolent and flighting contempt. From contempt, their next step was, to an entire rejection of the Kennedies from the tuition of the King's person ; a measure calculated to remove them, at the same time from all authority in the administration of the government. Alexander the brother of Robert Boyd, esteemed at that time the most accomplished knight in Scotland, had been added to the number of the preceptors of the young monarch ; while Thomas and Robert Boyd, the two sons of Robert, were the favourite attendants and companions of James. From Linlithgow therefore, they led the King one day out to hunt, without previously asking the permission of Kennedy ; and persuading James, that it was now time for him to emancipate himself from tuition ; conducted him, who went not unwillingly, on the way towards Edinburgh. Kennedy warned of their departure, soon followed and overtook them. Seizing the King's horse by the bridle, he would have led him backwards to Linlithgow. But Alexander Boyd, instantly interposing, struck the old man with his bow ; wounded him on the head ; and threatened further violence, unless he would desist. At Edinburgh, the Boyds, in their Sovereign's name, immediately summoned a parliament. It was not numerously attended ; for the party of the Kennedies



Kennedies, since they could not prevail, scorned to swell the triumph of their opponents; and others of the most considerable nobility, seem to have accounted it degradation, to obey the summons of men so mean as the Boyds. The Boyds however, to secure themselves against future punishment, formally sought and obtained forgiveness for any guilt which they might be supposed to have incurred by withdrawing James from the tuition of the Kennedies. James in parliament putting an end to the regency, formally assumed into his own hands the reins of government: but this assumption of the administrative power served only to place it, for a time, absolutely in the hands of the Boyds. Not content even with these advantages, the Boyds eagerly abused their power to their own private emolument. The regency and the tuition of the royal family were again conferred upon Robert Boyd alone: Other grants were bestowed to gratify their friends and adherents: Thomas the eldest son of Robert, obtained in marriage, Mary, the eldest sister of the young King, and with her, the earldom of Arran for her dowry. James Kennedy, amid these transactions, died at St Andrew's. His death was so much the more lamented, because, after being so long the faithful counsellor of his sovereigns, he died in disgrace. The suddenly overgrown power of the Boyds became

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SECT. I. so much the more odious, because their illustrious  
 CHAP. III. rival was now no more\*.

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Disturban-  
 ces in the  
 Highlands.

IN the mean time, the functions of the executive government were not every where duly respected throughout the kingdom. That licence to which the Scottish barons—especially of the north and west—had been so long accustomed, naturally broke out with new ferocity, during the weakness of a minority, and amid those divisions which distracted the regency. In the north-west districts, Alan of Lorne, seizing the person and inheritance of John his elder brother, confined him in a dungeon, until Colin Campbell, who now possessed the earldom of Argyle, going with an armed force against Alan, made him in turn prisoner, and restored John to the possession of the fief of his family. Alan, while he was detained in confinement, in order to undergo capital punishment, laid violent hands upon his own life, and thus escaped the ignominy of death by the stroke of the executioner. A more formidable infraction of the public peace was about the same time made by Macdonald of the Isles, earl of Ross. His pretensions to the earldom of Ross had never been willingly allowed by the Scottish Kings James the First, and James the Second. It was rather by sufferance, because they could not easily dispossess him, than of their free good pleasure, that they had suffered him to retain the earldom of Ross,

\* Lindsay :—Lesly :—Buchanan, &c.

Rofs, or even the principality of the Isles, and had forgiven those acts of rebellion which he had repeatedly committed. He, on his part, acknowledged and obeyed their authority; only out of fear, and with secret resolutions, of seizing the first favourable opportunity for exalting himself into absolute independence. That opportunity seemed to have now occurred. From the moment of the death of James the Second, Macdonald had no longer pretended to confine himself within the bounds of a subject's duty. By a stratagem he made himself master of the the royal castle of Inverness, assumed the denomination and honours of sovereign of the Isles; and harassed all the neighbouring barons who remained faithful in the duty to the Scottish King; with grievous hostilities. The earl of Athole was the King's uncle, and on this account so much the more obnoxious to the enmity of Macdonald. Descending, as far as Blair-Athole, with a powerful, although irregular army; the Hebudian chief took prisoners, the earl with his countess, Beatrix Douglas; ravaged all the circumjacent territory; and then with his spoils and captives, returned homeward to his insular dominions; yet, lost by shipwreck, almost all his ill-gotten booty, as he was passing over from the mainland to the island of Islay. The earl and countess of Athole were afterwards dismissed in safety. But, Macdonald continued for some time longer to defy or elude the power

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power of his sovereign ; till, at last, in the year one thousand four hundred and seventy-six, James the Third preparing a fleet, and raising a considerable land-army; so terrified the insular chieftain by the fame of armaments destined to act against him; that he threw himself upon his sovereign's mercy, and being deprived of the earldom of Ross, and of his other possessions on the mainland,—was however permitted still to retain the vassal-possession of the principal Hebridian isles. These events were protracted through a considerable series of years\*.

Disgrace  
of the  
Boyd.

THE fortune of the Boyds which had been for some time rapidly rising to the highest pitch of greatness, was soon to be overwhelmed in ruin and disgrace. James had grown up to the age of puberty; and it was time that he should be joined in wedlock with some princess worthy of his bed. Thomas Boyd, earl of Arran, and brother-in-law to his sovereign, was, on this account, dispatched with a train of illustrious companions and attendants, to negotiate a marriage between James, and Margaret daughter to the King of Denmark; and if successful, to conduct the lady home to her expecting husband. He went, succeeded, and brought away the princess who was to adorn the Scottish throne. But, in the mean time, during Thomas's absence, the enemies of his family abused their sovereign's ear to its ruin. His father and uncle were summoned

\* Lesly :—Lindsay :—Buchanan :—Statistical account of Campbelton.

moved to trial before an assembled parliament ; and with Thomas—absent on so honourable an embassy, were condemned to suffer the punishment due to treason and rebellion. The extravagant favour which they had enjoyed with the young sovereign, was, by the artful representations of their enemies, converted in James's breast, into implacable resentment. Alexander Boyd was put to death for the treason imputed to him : Robert, escaping into England, died soon after, at Alnwick, of a broken heart : The enemies of Thomas lay in wait to seize and destroy him, as soon as he should have landed from his Danish embassy. The severity of the winter delayed the return of the fleet from Denmark, till spring had calmed the storms of the German Ocean and the Baltic. In the sister of James, too, Boyd had obtained a faithful and tenderly affectionate wife. No sooner did the fleet cast anchor in the road of Leith, than Mary, disguising herself to elude the malicious vigilance of her husband's enemies, went secretly on board his ship, to warn him of his danger, and to share the misery of his fortunes. Thomas, thus warned of the proscription of his family, ventured not to come ashore, but accompanied by his faithful wife, sailed back to Denmark ; from which, after various wanderings, he repaired at last to the court of Charles duke of Burgundy ; and was there for a while honourably entertained ; serving with great reputation

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reputation in the wars of that turbulent and ambitious prince. His virtuous wife there bore him two children ; and still remained faithful in her attachment to her husband amid all his misfortunes. In vain did her brother, by many letters, strive to detach her from him, and to allure her home to Scotland. At last, indeed, the hopes suggested to her, that she by her presence might yet appease the anger of James, and procure the reversal of the attainder of her husband's family, led her to return. She was kindly received ; but was soon, against her will, obliged to submit to a sentence of divorce, which annulled her marriage with Boyd ; and was not long after given in marriage to Hamilton of Cadyow, the son of him whose seasonable desertion from the Douglasses had made them unable to keep up the army with which they had opposed James the Second. Boyd afterwards died in sorrow on the Continent. His two children, by the sister of James, lived not to enjoy any splendid fortune which might have seemed to repair their father's wrongs\*.

Cession of  
the Ork-  
ney isles.

MARGARET of Denmark, the young and beautiful bride of James the Third, brought, as her marriage-portion, the dereliction on the part of Denmark, of all its claims—to tribute from the Scottish Crown, on account of the Hebrudian Isles,—

or

\* Lindsay :—Lesly :—Buchanan, &c.

or to the feudal superiority of the Isles of Orkney and Shetland, the earldom of which had been, for some time, enjoyed by the Sinclairs, subjects to the Scottish Kings\*.

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BUT, James's reign was not destined to be glorious or happy. There was in his character, a littleness of mind, a fordidness of spirit, an absence of that exalted magnanimity which ought ever to be combined with prudence in a great monarch. The Boyds, the Kennedies, and whoever else had, under them, the care of his education, had formed him to an attachment to some of the curious and elegant arts of peace, more fond and finical, than was consistent with the due discharge of his duties as a sovereign. Passionately fond of music, devoted to architecture, of an usurer's avarice for the accumulation of money; he hence estranged himself from the generous exercises of war and arms, regarded with abhorrence the boisterous and martial spirit of his barons, and conceived a mean jealousy of those who excelled in the gallant and popular arts which he did not himself cultivate. His brothers, Alexander and John, young men, more like in manners and in spirit, to their father, than to their elder brother, being the most naturally compared with him by the nation, to his disadvantage; were the first to become the objects of this jealousy, and its victims. They had already grown up to manhood.

Situation  
of James  
in respect  
to his brothers.

\* Eofdem.

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manhood. Alexander the elder of the two, was now duke of Albany, and earl of March; John the younger, was earl of Marre. Alexander, as earl of March, was intrusted with almost all that authority on the borders, which the potent Houses of Douglas and Dunbar had anciently possessed. The Humes and Hepburns who, before his appointment to these offices and honours, had derived extraordinary emoluments from the management of the crown-lands in those parts; found their interests to be not a little thwarted, and their power restrained, by the activity with which the new earl exercised his authority, and the vigilance with which he exacted all the emoluments of his offices and estates. They had marked the temper of James; and they resolved to abuse its weakness, toward his brother's ruin. James was, by this time, surrounded with musicians, artists, and men of learning, whose skill in the arts in which he delighted, recommended them to be the ordinary companions of his domestic life. Such were Schevez, Cochran, Rogers, and others. Cochran the architect was, about this period, the chief favourite; and to him they addressed themselves. To Cochran, and to all the rest of these men, the duke of Albany was not less odious than to the barons of the Merse; for he scorned themselves, and their arts by which they had won his brother's favour. No sooner had the artifices of this cabal drawn James to view with



with jealousy—the activity, the high spirits and the popular qualities of Albany, and even of Marre whom they beheld with like hatred, than the narrow-minded prince eagerly rushed into the snare which was laid for him, forgot the kind affections of fraternal love, and gave up his heart to the dark purposes of an Asiatic despot. James's learning and taste were not of a nature to preserve him from the influence of superstition. The absurdities of fancied sorcery and of astrology had never, in any other age, a stronger hold on the minds of men, than in this. A witch was brought to foretell to James, that he was to be slain by his brothers. This pretended prophecy effectually impressed upon his mind the influence of all those suggestions which had been presented to him against his brothers, and confirmed him in those dark and cruel purposes which had already begun vaguely to conceive. James sent, with seeming kindness of purpose, to invite his brothers to visit him at Edinburgh. Albany secretly warned of the mischief that was intended against him, disregarded the invitation, and instead of coming to Edinburgh, fortified himself in his own castle of Dunbar. Marre, unaware of the danger, hastily obeyed his brother's summons; and soon after perished in the Canon-gate,—as those who were willing to favour the King, pretended,—by his own frantic misconduct under a fever,—but, as was with much more like-

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Death of  
the earl  
of Marre.

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lihood of truth alledged by others,—having his veins opened by the King's orders, and being thus left to bleed to death. From Dunbar, Albany soon after fled to Berwick, and thence into England. It is not impossible, but partly the popular manners, and in part the imprudent words of these young men, might have afforded to their brother some real ground for alarm against them. But, it was the feebleness, the caprice of his own character, alone, that could make them dangerous to his safety, or odious in his eyes\*.

Ecclesiastical  
affairs.

DISTURBANCES arose, too, in the conduct of the ecclesiastical affairs of the nation. To succeed James Kennedy in the bishoprick of St Andrew's, Patrick Graham, his uterine brother, had been chosen by the assembled clergy of the diocese, but by the spiteful opposition of the Boyds, then at the height of their power, had been withheld from the possession of the temporalities of the bishoprick. Unable to prevail against his adversaries at the Scottish court, Graham repaired to Rome, to solicit confirmation in the bishoprick, from the supreme Pontiff. At Rome, he was graciously received; his desires were granted; in favour of him, the see of St Andrew's was even erected into an archbishoprick, the metropolitan see of Scotland; and the Scottish church was, by the Pope's authority, declared to be for ever free from all

\* Lindsay :—Lesly :—Buchanan, &c.

all claims of subjection to the church of England. SECT. I.  
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 Graham thus successful at the Romish court, soon after prepared to return home. The Boyds had A. D.  
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 now fallen from their invidious greatness; and he flattered himself, that he should now meet no opposition, when he went to take possession of his archbishoprick. To honour him farther among his countrymen, he was invested by the Pope with the authority of papal legate.—But, other enemies had, in the mean time, arisen, to exclude Graham from the benefit of the appointments and honours conferred upon him by the court of Rome. Schevez archdeacon of St Andrew's, and on account of his skill in astrology, a favourite with the King, opposed in the ecclesiastical assemblies, the new pretensions of Graham. He was seconded by Lock the rector of the University. Graham was by the clergy degraded from his office, under a sentence of excommunication. The civil authority of the monarch, then interposed, to support the authority of the church, and cast Graham into imprisonment. He never recovered his lost honours. Great sums of money were wrung from him, in order to gratify the King and his ministers, and to be paid to the Romish court: When he had been reduced to extreme poverty, Schevez, his adversary, was raised to the archbishoprick in his stead, and Graham was left to die in disgrace and confinement. His imprisonment was, at first, for a while at Dunfermling.

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ling. He had been transferred, before his death, to the castle of Lochleven. This conduct of the King and his favourites in a matter of so much importance to the ecclesiastical affairs of the kingdom, tended greatly to increase the rising odium against his character, and to render the better part of the ecclesiastics indifferent to his interests\*.

James surrounded  
by mean  
favourites.

IN the mean time, James's personal manners and domestic habits continued to alienate him still more and more from the active duties of royalty. Cochran his architect, Rogers the musician, Preston a gentleman who was content to associate himself with them, Schevez the archbishop, and a few others, were the companions of his amusements, and the confidential servants of his government. Rogers was raised to the honours of knighthood; Cochran, the prime favourite, obtained the earldom of Marre, which had been so lately possessed by the King's youngest brother. These men, however, had not of themselves any influence or authority in the kingdom, such as might have enabled them to administer the sovereign authority with due vigour; the King himself, fitter for a monk or a merchant, was not a man who needed not able servants to aid his own authority and talents; the Crown was not armed with any such force as might have supported his dignity in spite

\* Lindfay :—Lefly.

spite of the weakness of the sovereign, and the worthlessness of his servants. Those barons of the southern counties who had lately plotted the overthrow of the duke of Albany, no sooner saw him driven into exile, than they began to strengthen themselves to new power upon the borders; and to condemn the minions, by whose agency they had supplanted him. The Humes and Hepburns; the earl of Angus; and a great many of those barons whose descent and opulence gave them influence in the kingdom; although they might not openly proceed to refuse obedience to the King's officers in the ordinary execution of the laws; yet earnestly looked forward to some opportunity, when the King standing in need of their assistance, might be compelled to submit to their controul. Want of energy in the government served, amid these things, to add continually new strength to the discontented barons. They scorned those arts which their sovereign cultivated; the money which he avariciously strove to accumulate, could not make him respectable in their eyes; his jealousies and suspicions had more of meanness of spirit, and of dark cruelty of intention such as could not but alarm, than of able vigilance which might have served to restrain and overawe them. He could not appear to be other than a contemptible monarch, who sought his protection in the vain forebodings of astrology, not in the esteem of his subjects, and in the

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the wise energy of his government. His favourites, too, elated by the unexpected rise of fortune to which his capricious kindness had exalted them, carried themselves with a degree of insolence which made their unmerited elevation doubly invidious. The exaction of money for ecclesiastical benefices; the rigour with which the dues of wardship and relief were levied upon the vassals of the Crown; the rapacity with which advantage was taken of those rights of purveyorship which the sovereign enjoyed for the support of his household; the avarice with which the customs due upon goods of merchandize, were exacted; that debasement of the coinage which was abused to defraud the subjects for the sake of their sovereign; all these were matters of grievance which no administration could, in this age, have long persuaded the Scots to bear with patience. When all was ready almost for insurrection, the truce with England was suddenly violated,—rather by the contrivance of the Scottish exiles, and by the restless turbulence of the borderers, both Scots and English, than by any inclination on the part of the two monarchs, to harass each other with mutual hostilities. A negotiation which had been opened with Edward the Fourth for the purpose of engaging his daughter Cecilia to be the future bride of the infant son of James, was forgotten. Albany who during his exile, had passed through England into France, now returned back into

Progress of  
James's  
character,  
and in-  
trigues of  
his brother  
Alexander.

into England, and in concert with the exile, and for-  
 feited earl of Douglas, made an unsuccessful incur-  
 sion into Annandale. Douglas was made prisoner, never more to recover his liberty; but Albany made his escape. Hostilities being thus commenced; Edward was induced to come northward with a powerful army upon an invading expedition against the Scots. James now reluctantly summoned his angry barons to attend him in arms. While they slowly assembled, with intentions more unfriendly to their own sovereign, than to the invaders; Gloucester, brother to the English King, conducted by Albany, had advanced as far as Berwick; and leaving a part of his forces to push the siege of that town, which was held out against him by Hepburn, earl of Bothwell; was hastening onwards with the rest. James had, however, advanced as far as Lawder to meet and repulse the invasion, when his barons finding, that he himself with his minions, were now entirely within their power, determined—no longer to delay the vengeance which they were impatient to execute on those who had perverted the monarch's mind from the sentiments and duties of royalty. In a tumultuary assembly in the church of Lawder, they resolved instantly to seize and put to death, Cochran with the other minions against whom they were enraged; and making themselves masters of their sovereign's person, to compel him to alter and new-model.

SECT. I.  
 CHAP. III.  
 A. D.  
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SECT. I.  
CHAP. III.

A. D.  
1460-88.

Rebellious  
measures  
of the  
Scottish  
barons.

model his government at their pleasure. Perhaps they acted not without a correspondence with Albany : perhaps they adopted these measures in the hope of thus gratifying Albany's wishes, although not yet communicated to them, and of averting the evils of the invasion. Ere their deliberation was concluded, Cochran came from the King to interrupt it. He seemed to come as if it had been at their summons. Instantly they seized his person, stripped him of the splendid ornaments he wore, and hurrying him to the bridge of Lawder, hanged him without farther trial, as the meanest of traitors. The other mean favourites of James, who were hated by his old and honourable vassals, shared all the same fate. James himself was carried in confinement back to Edinburgh. Albany and his English conductors were permitted to follow without opposition. James was branded as unfaithful no less to engagements into which he had entered with the English King for the marriage of his son, than to his subjects in the discharge of the duties he owed them as their feudal sovereign. Berwick was again delivered up to the English. Every thing in Scotland was left at the pleasure of Albany, and the nobles who favouring him, had insulted and violated the person of his brother. Albany obtained the restoration of the fiefs which he had possessed before his exile, and was at the same time nominated to administer the government of the kingdom,



kingdom, as the King's lieutenant, The city of SECT. I.  
CHAP. III. Edinburgh undertook to repay those sums of money which Edward had formerly paid to James in A. D.  
1437-60. order to obtain his alliance, and in the name of a dowry given with his daughter to James's infant-son. The English then returned backward into their own country : and Albany with the nobles who, for his sake, and to indulge their own haughty revenge, had deprived James of his favourite servants ; remained masters of the King, and of the government of Scotland\*.

JAMES was, during the latter part of these transactions, detained in pretendedly respectful, yet close confinement in Edinburgh-castle. Douglas, once the formidable enemy of his father, was about the same time, in consequence of his late capture in Annandale, a prisoner in the apartments of the same fortress. An interview was procured between the King and the forfeited earl : but the earl could not in his present condition serve the King ; nor could the King, thus divested of the powers and honours of majesty, restore the earl to his ancient possessions : and their interview had therefore no consequences important or pleasant to either the one or the other. But, by whatever means,—whether by any artifice on the part of the King who was not incapable of that shrewd and cunning policy by which narrow minds will sometimes distinguish

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themselves

\* Lindsay :—Lesly :—Buchanan, &c.

SECT. I.  
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1437-60.  
Recon-  
ciliation of  
James  
with his  
brother  
Alexan-  
der.

themselves the most ; by the more generous influence of solitary reflection upon his understanding and his feelings ; by the prevalence of manly generosity and true fraternal affection in Albany's mind ; or by the intrigues of persons who were interested to bring about a reconciliation between the two brothers, and to divide Albany from those to whom he had at first attached himself ;—a perfect reconciliation was soon after accomplished between the two brothers. Albany delivered James out of the hands of those by whom he had been detained in confinement. A new arrangement of the parties was produced. James no longer mistrustful of his brother, or at least seemingly no longer so, cordially embraced Albany as his deliverer and his best friend. Schevez, who had intrigued with all parties, became odious to all ; and gladly made his peace by exchanging the archbishoprick of St Andrew's for the bishoprick of Moray\*.

THE reconciliation of the two brothers, was alarming and dangerous to the enemies of both, to those by whose intrigues Albany had been banished, and to them who had afterwards combined against their sovereign, and laid violent hands upon his person. With England there was now peace ; nor did this amity with the English, occasion any necessary violation of the ancient friendship between Scotland and France : for the English now

busied

\* Lindsay :—Lesly :—Buchanan :—Crawford's history of the Stewarts :—Hume's history of the Douglasses.

busied in the intestine contentions between the  
 houses of York and Lancaster, had ceased, for a  
 while from the prosecution of their ancient preten-  
 sions as well against the French, as against the  
 Scots. An embassy from France, sent upon the  
 occasion of the death of Lewis the Eleventh, and  
 the accession of his son Charles the Eighth, was  
 honourably received at the Scottish Court, and  
 gratified by the solemn renewal of that alliance be-  
 tween the two nations which had been long deem-  
 ed indispensibly necessary to the support of both  
 against English ambition. Administered by Alba-  
 ny, the internal government of Scotland recovered  
 all its due energy. James, content with that leisure  
 which allowed him to cultivate his favourite arts,  
 and to enjoy those amusements in which he delight-  
 ed; seemed now happier, than while the burthen of  
 royalty had rested wholly upon himself. The Scot-  
 tish monarchy, the nation—appeared likely to rise  
 with great rapidity to a condition of more flourishing  
 prosperity than they had ever before experienced.  
 Yet, it was but too easy to revive in the bosom of  
 James, those jealousies of his brother's popular ta-  
 lents, which had before driven Albany into exile,  
 which had hurried young Marre prematurely to  
 the tomb. To those nobles who aspired to rise  
 upon the ruins of the House of Douglas, to that  
 dangerous elevation from which they had seen it  
 hurled,—Albany, a man of high abilities for govern-  
 ment,

SECT. I.  
 CHAP. III.  
 A. D.  
 1437-60.  
 Intrigues  
 to set the  
 brothers at  
 variance.

SECT. I.  
CHAP. III.

A. D.  
1437-60.

ment, was necessarily more formidable than the weak and narrow-minded James; and they soon contrived therefore to make the King's jealousies and fears, the instruments of theirs. A second breach was effected between the two brothers. Albany, chiefly, as it should seem, by the management of the Humes and Hepburns, whose wealth and greatness were still restrained and impaired by his possession of the wardenship of the marches; saw himself soon accused of having traitorously delivered up Berwick to the English; imprisoned in the castle of Edinburgh; and threatened with condemnation and public execution,—or rather perhaps with secret death by some such dark arts of murder, as had been practised against his younger brother. The earl of Angus and those other lords, out of whose hands, James had been lately delivered, now acquired the ascendancy in his counsels, and eagerly strove to accomplish Albany's destruction, that James's imbecility might be left once more at their mercy. In vain did the duke plead that he had delivered up Berwick in obedience to the King's command. James and his counsellors were not to be moved by this defence from pursuing to destruction, a hated, dreaded enemy. But, Albany was not absolutely friendless. Notice was secretly conveyed to him, of all the danger threatened against his life by the dark machinations of his foes. A vessel was secretly prepared in the Frith,

Frith, to receive and conduct him to France, if he might by any means make his escape out of the castle. Thus warned, and having concerted all measures with his friends without, he, on a certain evening, invited the captain of the castle to supper; made him and the guard drunk with wine; then with the assistance only of his own servant, mastered and slew them; descended by means of ropes over the castle-walls; at Newhaven, went, with some friends who awaited his coming, on board the vessel which lay there to receive him; and thus escaped in safety into France. In France, he obtained in marriage the heiress of the dukedom of Bouloigne; lived for a while in high reputation, distinguished for his talents and martial gallantry; and perished at last in a tournament,—leaving by the duchess, a son who was afterwards for a time to administer the government of Scotland\*.

SECT. I. 7  
CHAP. III.  
A. D.  
1437-60.  
Albanv escapes from  
Edinburgh  
castle.

JAMES, thus delivered, without a new crime, from the presence of his brother; and once more reconciled at least seemingly, to those nobles who had checked his power, and confined his person; returned to the culture of those arts of peace in which he excelled. Stirling-castle becoming his favourite place of residence; he founded there a collegiate church under the denomination of his chapel-royal; endowed it richly; and appointed a numerous train of ecclesiastics, priests, and musicians

\* Lesly :—Lindsay, &c. &c.

SECT. I.  
CHAP. III.

A. D.  
1437-60.  
Measures  
employed  
by James  
to confirm  
his autho-  
rity.

cians who should solemnize in it the services of religion with the utmost magnificence and pomp. He built also within the walls of Stirling-castle, a noble hall for the reception of his assembled parliaments. As the revival of the arts, and the progress of commerce were now every where enhancing, in the eyes of the Scots, as of the other nations of Europe, the value of that new species of wealth which consisted in money, and in the productions of the arts; in contradistinction to lands and castles, the only sort of wealth which Kings and nobles had anciently held in high estimation: James now renewed his cares for the accumulation of moneyed opulence, and enriched himself to a degree, that partly attracted the covetousness, and partly excited the rage and contempt of his subjects. Aware of the advantage of possessing a navy for the protection of his coasts against maritime invasion, the King procured also two ships of considerable burthen, which he equipped for warfare, and put under the command of Sir Andrew Wood of Largo. And being in the same manner sensible, that the occasional military service of a turbulent and refractory feudal nobility, could not be confidently depended upon even for foreign war, but still less for ordinary defence at home, and for the execution of his commands in exercising the supreme jurisdiction over his kingdom; he formed a small troop of body-guards under the command of

of Sir John Ramsay of Balmain, whom his inter-<sup>SECT. I.</sup>  
cession had with difficulty saved from slaughter <sup>CHAP. III.</sup>  
when his barons cut off the rest of his favourites, <sup>A. D.</sup>  
at Lawder. With the English who were still un- <sup>1437-60.</sup>  
der the usurped dominion of Richard the Third,  
disposed to cultivate peace on the side of Scotland,  
James concluded a new treaty, the conditions of  
which were far from being disadvantageous or dis-  
honourable to the Scots. It seemed, that James was  
gradually enlarging his mind, and invigorating his  
faculties, so as to become equal to the duties of roy-  
alty, while he with too minute a curiosity, still cul-  
tivated some of the ornamental arts of peace. His  
character began to be more highly esteemed among  
his subjects, than it had formerly been: And,  
could he have expelled from his bosom, those jeal-  
ousies and resentments which still festered in his  
heart; and those fears, excited by the predictions  
of wizards and astrologers, which still clouded his  
imagination: Could the Humes and Hepburns  
with their associates have forgotten how they had  
injured him, or supposed him capable of forgetting  
it: Could that faction which had risen upon the  
fallen fortunes of the House of Douglas, have been  
quietly extinguished, without kindling up the flames  
of civil war:—James might yet perhaps have been  
happy; and might have filled the throne with ho-  
nour, to a late old age\*.

BUT,

\* Eosdem quos supra.

SECT. I.  
CHAP. III.

A. D.  
1437-60.

A new rebellion.

BUT, it could not be. No progress of time could extinguish the resentments which mutually prevailed between him and the faction of the border-nobles. The more they saw him strengthen himself in his authority; so much the more were they moved to bestir themselves anew, in order to subvert his power, and to anticipate the execution of any designs which he might have secretly formed against them. A subject of contest was soon found. James, in his earnestness to enrich the royal chapel he had founded at Stirling, annexed to it the revenues of the ancient abbey of Coldingham. The Humes looking upon this abbey as pertaining in a particular manner, to them, would not willingly suffer the proposed annexation to be carried into effect. James, however, procured it to be sanctioned by an act of parliament. The Humes immediately began to concert a new conspiracy against their sovereign,—with the Hepburns,—with most of those barons in the West and the South, who had been anciently dependents on the House of Douglas,—with Stewart of Avondale, and the earl of Angus who had been parties in what they did before at Lawder,—and with the heads of the two families of Gray and Drummond from among the northern barons. The conspirators had soon concerted their measures, and made preparations to resist their King's commands, and to make themselves by force once more masters of his person.

James



James informed of their preparations, summoned them by his heralds to lay down their arms, and present themselves to the cognizance of his justice. But, his letters were scornfully torn in pieces; his heralds were maltreated; the rebellion was forthwith openly declared. They were advancing to besiege him in his castle of Stirling, with a great force of their retainers and vassals; while James had not his faithful barons nigh, nor any such force about his person, as might have been sufficient to defend him against their traitorous purposes.

SECT. I.  
CHAP. III.  
A. D.  
1460-88.

YET, surrounded with these difficulties, James acted with greater firmness, activity, and wisdom than was to be expected from a man of his character. He immediately strengthened his garrison of Stirling-castle, and added new stores to those with which it was already provided; placed Shaw of Sandie, a man in whom he had confidence, to command in it; and committed to his custody, prince James, this King's eldest son, and now a youth in the fourteenth year of his age. From Stirling, James then repaired in haste to the castle of Edinburgh; in it deposited his treasure; strengthened it also with an additional garrison and new stores; and confided the whole to the custody of a man who enjoyed his favour. After taking these

Means adopted by James to defeat the rebellion.

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measures

SECT. I.  
CHAP. III.

A. D.  
1460-88.

The barons of the North display their loyalty.

measures for preserving his son, his treasure, and his two principal castles from falling into the hands of the rebels; he went instantly on board a vessel which Sir Andrew Wood held at Leith, in readiness to receive him; and while they fancied him to have fled away perhaps to England or to Flanders,—crossed the bay to Fife; and proceeding northwards, called upon his barons, burghesses, and other vassals, to arm and protect their sovereign against rebellion. It was with difficulty he had escaped at Leith from the pursuit of the conspirators. But, in Fife and all the northern counties, he found none but loyal subjects, ready to arm themselves at his command, and to expose their lives in defence of his life and authority. Lindsay earl of Crawford, won by the new honour of duke of Montrose, to exert himself with extraordinary zeal, in the cause of his King; with his kinsman, Lindsay of the Byres; soon joined James at Perth with a body of two thousand horsemen, and six thousand footmen: Ruthven sheriff of Strathern brought no fewer than five thousand: The earls of Huntley, Athole, and Argyle, descended at the head of the strength of the Highlands: The earl of Menteith, with Erskine and Graham came also with a considerable force from Stirlingshire and the districts contiguous. An army of more than thirty thousand men, was thus speedily mustered to oppose the

the rebellious borderers : And James soon marched in confidence at their head, back to Stirling\*.

SECT. I.  
CHAP. III.

A. D.  
1467-88.  
Activity  
and in-  
trigues of  
the rebels.

BUT, in the mean time, Hume, Hepburn, and Angus had exerted themselves with the boldness and activity of men who had staked their all on the event of rebellion, and had now advanced too far, to recede with safety. Although they had not been able to seize James's person, as he set sail from Leith; yet they had intercepted part of the baggage and money which he wished to carry with him. Whether of necessity, or in treacherous compliance, the captain of Edinburgh-castle had surrendered it with the King's treasure in it deposited, at their summons. Shaw, too the governor of Stirling-castle, being bribed with large sums of money; put the prince into their hands, and agreed to hold for them that castle which had been committed to him by his King. Even the young prince, persuaded by their fair speeches, that in his father's hands, his life could no longer be safe; made himself not very unwillingly the tool and the nominal leader of their rebellion; and lent the sanction of his name to all those calumnies by which they strove to alienate from the King, the affections of all his subjects. With a force of about eighteen thousand men assembled out of East Lothian, Teviotdale, Annandale, and Galloway; all the ancient domains

\* Lindsay :—Lesly :—Buchanan, &c.

SECT. I.  
CHAP. III.A. D.  
1460-88.

mains of the House of Douglas ;—the boldest and best-disciplined soldiers of Scotland ; they came onward to meet the King's host, where it was expected to descend by the way of Stirling, upon the counties on the southern side of the Forth\*.

WHEN James with his army, had reached Stirling ; he himself not yet aware of the treason, proceeded to the gates of the castle, commanded them to be opened, and requested, that his son should be brought into his presence. To his astonishment, Shaw both refused to admit him within the castle, and informed him, that his son was in the rebel camp. James heard the news—with a trouble of soul which disconcerted all that assumed firmness and vigour, which he had hitherto so remarkably exercised in his scheme of opposition ;—and with a bursting indignation which he could express only by menaces of future vengeance against the treacherous Shaw. For that night he remained with his army at the town ; keeping strict watch against any surprise from the garrison in the castle,—or from the rebel host without, which had now approached nearly to the farther bank of the river Carron. Early on the morrow, James proceeded with his army to Torwood, to meet and encounter his foes in battle. At Torwood, the royal army halted, to await the coming of new forces which hastened to join them. Some proposals of reconciliation

Battle at  
Torwood,  
and death  
of King  
James.

\* Eofdem.

ciliation were here mutually made between the King and the rebel barons ; but on the part of the barons there were no concessions proposed, such as James, while supported by so great a majority of his faithful subjects, could be persuaded to accept. On the third day, therefore, after James's arrival at Stirling, the two armies prepared for battle. In the van of the royal army advanced the earls of Athole and Huntley at the head of the northern clans : In the rear were posted the men of Stirlingshire and Lennox, under the command of the earl of Menteith and other nobles : James himself with his burgeses and yeomanry occupied the centre : On the right wing, was the earl of Crawford with the troops of Fife and Angus : On the left, Sir Alexander Ruthven with the military force of Stormont and Strathern. The rebel army came on in three columns : The Humes and Hepburns, with their followers from the eastern borders, commanding in the van ; the men of the western borders composing the central division ; and Angus with other lords conducting the prince in the rear. But James, unaccustomed to deeds of war, oppressed with consciousness of guilt and folly, and struck with horror at seeing his own son armed against his life ; became still more timid, irresolute, and despondent, the nearer the critical hour of engagement approached. The forebodings of that forcery to which he had formerly fought, arose upon his mind ;

SECT. I.  
CHAP. III.  
A. D.  
1460. 88.

SECT. I.  
CHAP. III.A. D.  
1460-82.

mind; and all courage died away within him. While he continued thus irresolute, the enemy came on; the two vanguards encountered each other; the battle was furiously joined. The rebels from the borders, excelling in archery, in consequence of their continual warfare with the English,—soon disordered the cavalry in the King's vanguard. The men of Annandale coming instantly up, impetuously assailed that division at the head of which James himself had taken his station. At sight of the fury with which they came on, at the noise of those shouts which they raised to appall their foes; James suddenly turned his horse's head, set the example of flight to his army, and galloped away in fearful and almost unconscious haste, from the field of battle. Already unmanned and disunited by the pusillanimity which James had shewn before the fight; already broken, in part, and disordered by the impression of the bowmen of the rebel army: James's forces made scarcely any farther resistance, after they had seen the King himself take to flight. They fled by Torwood and Bannockburn towards Stirling: And the prince's army, content with thus discomfiting their opponents, made no earnest pursuit; but after resting for that night on the field of battle, retreated, on the next morning, towards Linlithgow\*.

IT

\* Lindsay :—Lesly, &amp;c.

It was the rumour of the King's death propagated through both hosts, almost immediately after his flight from the field, that thus easily stayed the carnage. James borne upon a horse which he could not guide, nor restrain, fled onward to the stream of Bannockburn. His horse there scared by some trivial object of alarm, suddenly leaped over the stream with such a shock to the unsteady and affrighted rider; that James fell from his back, more dead than alive, and was soon after recognised and slain by some of the rebel host who pursued him. He was slain at the mill of Bannockburn: His body was afterwards buried at the abbey of Cambuskenneth. This battle was fought; and James was slain on the eleventh day of June, in the year one thousand four hundred and eighty-eight; the twenty-ninth year of his reign; the thirty-sixth of his age\*.

SECT. I.  
CHAP. III.

A. D.  
1462-83.

SUCH was the unfortunate end of a monarch who, if we should contemplate only one side of his character, would seem to have deserved a much more illustrious and happy fate. In fondness for the elegant arts, and in proficiency in the actual practice of them, he was, perhaps, even superior to his grandfather James the First. It was skill in these arts, not any unworthy qualities, by which his hated favourites were first recommended to his regard.

His character.

\* Lcslly :—Lindsay, &c.

SECT. I.  
CHAP. III.

A. D.  
1460-88.

gard. The arts he cultivated, such as music and architecture, were not mean and frivolous, but of confessed dignity and importance even among the barbarians of that age. His passion for the accumulation of money, was perhaps rather a natural result of the increasing influence of this representative of value, upon the transactions and the enjoyments of social life,—than a sordid avarice inconsistent with true wisdom or dignity of sentiment. His formation of something like a naval force, shewed a mind not inattentive to the true interests of his kingdom, and in its ideas of wise policy, outstripping the common march of the age and the country in which he lived. The shrewd policy and the activity with which he took his first measures for the suppression of that rebellion by which he was cut off; discovered a mind not meanly qualified either for conducting the affairs of a peaceful government, or for concerting the enterprises of war. Even his belief in the predictions of astrology, may find its excuse in the imperfection of the physical science of that age; and his respect for the pretences of sorcery, in its universal superstition.—But, we must likewise view his character on the darker and weaker side. Here we shall probably be forced to allow, that all his weakness, his errors, his misfortunes, had their origin in that education, too recluse, and too much turned upon virtuoso-pursuits, to besit a monarch,—which was



was unwisely or wickedly given him by the Kennedies and Boyds, the tutors and companions of his early youth. Attached to these pursuits, he was removed from that useful experience which he might have otherwise acquired in the common practice of life, in the military arts, and in the business of government; while his tutors and favourites not only then reigned for him, but pleased themselves with the hope of prolonging their power throughout his life, and keeping him in respect to the government of his kingdom, always a child. Hence arose the two grand defects in James's character, *unskilfulness in the arts of war*, and a *want of common sense* in regard to the business of government and the ordinary affairs. These quickly made him contemptible, in comparison with his brothers, in the eyes of all the Scottish nobility. Sense of that contempt, operating upon a mind as yet tremblingly alive to the sensations of shame; and being assisted by the suggestions of wicked and interested persons about him; soon poisoned his mind with those jealousies and those dark suspicions which were the sources of all his crimes. Sorcery and astrology completed the mischief. One crime, and one folly still led to another. After the murder of his brother, James's fate was fixed. Conscientious guilt never afterwards ceased to torment his heart; vain terrors still afflicted him; any new experience he acquired, became in his mind mere-

SECT. I.  
CHAP. III.  
A. D.  
1460-58.

SECT. I.  
CHAP. III.

A. D.  
1460-88.

ly mean and narrow cunning ; could never become generous, manly wisdom. His weakness of mind exposed him to be seduced continually into wickedness ; and every successive wicked act of which he became guilty, still enfeebled his mind so much the more. Lindsay of Pitfcottie has described his character with extraordinary power of painting, and force of expression : “ He was one that loved solitariness and desert, and never to hear of wars, nor the fame thereof ; but delighted more in music and policies of bigging, than he did in the governance of his realm : He was also wonderous covetous in conquessing of money rather than the hearts of his barons ; and he delighted more in singing and playing upon instruments, than he did in the defence of the bordours\*.”

\* Lindsay, p. 115.—3d Edk.

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